



Planning Commission

The Planning Commission meets the second Wednesday of the month at 4:00 p.m. in the Board of Supervisors' Hearing Room. All meetings are open to the public. Those who wish to speak are asked to complete a "Speaker Information" form (available at the meeting) and submit it to County staff before the Call to Order.

The order and/or deletion of any item on the agenda is subject to modification at the meeting. Actions of the Planning Commission may be appealed to the Board of Supervisors by any interested party by submitting an application for appeal within 15 days. An application for appeal is available this afternoon with the Clerk, at the Community Development Department's office Monday through Friday between 8 A.M. and 5 P.M., or anytime on our webpage in the "Permits and Packets" link.

Packets and staff reports are available for review at the Community Development Department. Questions or concerns may be directed to Planning Department, at 520-432-9300. Agendas and minutes are posted on Cochise County's home page in the "Public Meeting Info" link.

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

**COMMUNITY DEVELOPMENT DEPT.
HOURS OF OPERATION**
Monday through Friday
7:30 a.m. to 5:00 p.m.
Phone: 520.432.9240
Fax: 520.432.9278



Cochise County Planning Commission

Cochise County Complex
Board of Supervisors' Hearing Room
1415 W. Melody Lane, Building G
Bisbee, Arizona 85603

Regular Meeting
December 9, 2015
4:00 p.m.

AGENDA

- 1. 4:00 P.M. - CALL TO ORDER**
- 2. ROLL CALL** (Introduce Commission members and explain quorum and requirements for taking legal action).
- 3. APPROVAL OF PREVIOUS MONTH'S MINUTES**
- 4. CALL TO THE PUBLIC – CALL TO THE PUBLIC** - Pursuant to A.R.S . § 38-431.01 (H) this is an opportunity for the public to comment. Individuals are invited to address the Commission on *any issue within the Commission's jurisdiction*. Since Commissioners may not discuss items that are not specifically identified on the agenda, Commission action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.
- 5. NEW BUSINESS**

Item 1 - (Page 1) –PUBLIC HEARING -- Docket SU-15-20 (Pinnacle Tower Naco): A request for a Special Use authorization for an 80-foot communications tower in a General Business (GB) zoning district located at 3864 S. Towner Ave, Naco, AZ. The applicant is Sun State Towers.

Item 2 - (Page 34) –PUBLIC HEARING -- Docket SU-15-18 (Sonoran Care): A request for a Special Use authorization to approve the cultivation of medical

marijuana at on an RU-4, Rural zoned property located at 3402 N Mesquite Rd, Cochise, AZ. The applicant is Crisantes California Investments LLC.

6. PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS.

Board of Supervisors: no items

**Next P&Z Commission meeting
January 13, 2016**

- a. SU-15-21 (Canna) Medical Marijuana cultivation
- b. SU-15-22 (Chaffin) Large Engine Repair
- c. SU-15-23 (Barney) Large Engine Repair
- d. SU-15-24 (Smith) Guest Lodging
- e. SU-15-25 (Lock) Medical Marijuana cultivation and infusion kitchen

Upcoming:

- a. Richardson professional services office
- b. Verizon St. David stealth cell tower
- c. Arabian north of Ramsey fire station cell tower

7. CALL TO COMMISSIONERS ON RECENT MATTERS.

8. ADJOURNMENT

**COCHISE COUNTY PLANNING & ZONING COMMISSION
DRAFT MINUTES
November 18, 2015
REGULAR MEETING at 4:00 p.m.**

The regular meeting of the Cochise County Planning and Zoning Commission was called to order at 4:00 p.m. by Vice-Chairman Martzke at the Cochise County Complex, 1415 Melody Lane, Building G, Bisbee, Arizona in the Board of Supervisors' Hearing Room. Mr. Martzke admonished the public to turn off cell phones, use the speaker request forms provided, and to address the Commission from the podium using the microphone. He explained the time allotted to speakers when at the podium. He then explained the composition of the Commission, and indicated that there was one Special Use Authorization Docket on the agenda. Mr. Martzke explained the consequences of a potential tie vote and the process for approval and appeal.

ROLL CALL

Mr. Martzke noted the presence of a quorum and called the roll, asking the Commissioners to introduce themselves and indicate the respective District they represent; five Commissioners (Jim Martzke, Carmen Miller, Gary Brauchla, Wayne Gregan, and Pat Edie indicated their presence. Staff members present included; Paul Esparza, Planning Director; Jesse Drake, Planning Manager; Peter Gardner, Planner I; Jim Henry, Planner I; Karen Lamberton, Transportation Planner.

APPROVAL OF THE MINUTES

Motion: Approve the minutes of the October 14, 2015. **Action:** Approve

Moved by: Ms. Edie **Seconded by:** Ms. Miller

Vote: Motion passed (**Summary:** Yes =3, No = 0, Abstain = 2)

Yes: Mr. Martzke, Ms. Miller, and Ms. Edie

No: 0

Abstain: Mr. Brauchla and Mr. Gregan

CALL TO THE PUBLIC: None

NEW BUSINESS

Item 1 PUBLIC HEARING Docket ALO-15-09

A request for an authorization to approve an Accessory Living Quarter for a 704 sq. ft. one-bedroom manufactured home as an accessory structure to the existing 1,435 sq. ft. two bedroom site-built home on an RU-4 Rural property located at 4872 S. Ranch Road, in Sierra Vista, AZ. The Applicant is Martha Stoner. Vice-Chairman Martzke called for the Planning Director's report. Planner I Peter Gardner presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Mr. Gardner also explained Staff's analysis of the request. He closed by listing factors in favor of and against approval and invited questions from the Commission.

Vice-Chairman Martzke then opened the Public Hearing. Ms. Marti Stoner and her son, Mr. Kyle O'Brien, the Applicant, explained the request and invited questions. They stated that by

living on the site, they could help secure the property and speed up the improvements. They then invited questions.

There being no speakers in support or opposition, Mr. Martzke closed the Public Hearing and invited discussion. There being no discussion, Mr. Martzke asked for Staff's recommendation. Mr. Gardner recommended Conditional Approval. Mr. Martzke called for a motion. Mr. Gregan made a motion of Conditional Approval, with the Conditions recommended by Staff. Ms. Edie seconded the motion. There being no further discussion, Mr. Martzke called for a vote on the motion. The motion passed 5-0.

Motion: Motioned to Approve the Docket with the Conditions and Modifications recommended by Staff

Moved by: Mr. Gregan **Seconded by:** Ms. Edie

Vote: Motion passed (**Summary:** Yes = 5, No = 0, Abstain = 0)

Yes: Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Gregan, and Ms. Edie

No: 0

Abstain: 0

Item 2 PUBLIC HEARING Docket SU-15-18 (Sonoran Care)

A request for a Special Use authorization to approve a facility for personal services and the cultivation and dispensing of medical marijuana on an RU-4 (Rural) zoning district located approximately 2.8 miles north of Davis Road on Central Highway south of Elfrida, AZ. The applicant is Sonoran Care LLC.

Vice-Chairman Martzke called for the Planning Director's report. Planning Manager Jesse Drake presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Ms. Drake also explained Staff's analysis of the request. She closed by listing factors in favor of and against approval and invited questions from the Commission.

Mr. Martzke then opened the Public Hearing. Ms. Becki Shumaker and David Blake, the Applicants, explained the request. The Applicants explained their backgrounds in the health care and medical marijuana fields. They explained the uses of medical marijuana, and addressed concerns about their company, crime, and water usage. Mr. Gregan asked for the size of the cultivation area. Mr. Blake stated that it would be two acres maximum, but they expected 30,000 square-feet.

Mr. Ray Zuck of Elfrida spoke in opposition. Mr. Zuck noted that he farmed near the proposed site, and explained water rights, stating that he did not believe that water rights were available for the subject parcel. He also stated that he felt there was no need for that much medical marijuana in Cochise County. He closed by asking about pesticide use and its impact on his crops.

Ms. Laura Randolph of Elfrida spoke in opposition. She stated that she lived less than two miles from the site, and that Staff's photos were deceptive. She stated that as a teacher, she was opposed, and that marijuana should be dispensed in a medical facility. She closed by imploring the applicant to "keep it in Tucson".

Mr. Richard Anderson of McNeal spoke in opposition. He stated that the land that Staff referred to as vacant was actually occupied. Mr. Anderson stated that he had voted in favor of medical

marijuana, but was concerned about the Applicants' history. He stated that he had communicated directly with the Applicants, but felt that the answers he received were incomplete or evasive. He noted that marijuana uses cause controversy, and expressed alarm at his perceived lack of transparency from the Applicants.

Ms. Linda Bohling of McNeal spoke in opposition. She stated that she was involved in a number of children's programs in Elfrida, and that she was on the Foster Care Review Board. She stated that marijuana destroys families, with all of the parents of the foster children were using drugs, and that this dispensary would exacerbate the problem by making marijuana readily accessible. Ms. Bohling stated that people had to drive to Bisbee or Sierra Vista for other medication and it seemed right for them to do so for medical marijuana as well.

Ms. Brenda Anderson of McNeal spoke in opposition. She stated that she lived in the area since 1966, and could see the site from her home. She expressed concerns about the water, noting that she had lost her water rights for not farming constantly. Ms. Anderson also expressed concern about the number of schools within several miles of the site.

Mr. Eric Cartier of Sunizona spoke in opposition. He stated that he would like to see rural Arizona stay as it is. He stated that he felt the existing dispensary in Dragoon was sufficient for the County. Mr. Cartier expressed concern about substance abuse in the County, and that he felt the high school students would find the marijuana readily accessible. He claimed that in Europe, it is common for addicts to raid opium fields during harvest.

The Applicants rebutted, with Mr. Blake stating that water would be hauled in and rainwater collected, but there would be no well drilled. He explained how stringent the state regulations are, and how difficult it would be for students to acquire marijuana from the dispensary compared to buying on the black market. He noted that there is no evidence that dispensaries attract crime or increase drug use. Mr. Blake closed by addressing Mr. Anderson's concerns, and noting that no pesticides would be used.

There being no further speakers in support or opposition, Mr. Martzke closed the Public Hearing and asked for Staff's recommendation. Ms. Drake recommended Conditional Approval. Mr. Martzke called for discussion. Ms. Edie commented that she had concerns about the speeds that vehicles travel at on Central Highway, and that she was worried about traffic safety at that location. Mr. Gregan stated that everyone should understand what the Commission's purview was, staying under the strict limits of their powers. He stated that the water and security issues were regulated by the State, and that the Commission could not consider those factors. Ms. Miller stated that Cochise County is an agricultural area and that she wanted it to stay that way. She stated that marijuana was a cash crop in her mind, but felt that the water issue needed to be addressed, along with the community's' concerns. She expressed the tough nature of the decision based on the jockeying of various individuals' private property rights. Mr. Martzke stated again that the water rights were not an issue for the Commission. He also stated that the Commission was only approving the land use, not the actual operation. Mr. Martzke then called for a motion. Mr. Gregan made a motion of Conditional Approval, with the Conditions recommended by Staff. Ms. Miller seconded the motion. There being no further discussion, Mr. Martzke called for a vote on the motion. The motion failed 2-3, with Ms. Miller, Mr. Brauchla, and Ms. Edie in opposition.

Moved by: Mr. Gregan **Seconded by:** Ms. Miller

Vote: Motion failed (**Summary:** Yes = 2, No = 3, Abstain = 0)

Yes: Mr. Martzke, and Mr. Gregan

No: Ms. Miller, Mr. Brauchla, and Ms. Edie

Abstain: 0

Item 3 PUBLIC HEARING Docket SU-11-06B (Mead)

A request for a modification to an existing Special Use to approve two items: additional cultivation areas for an approved medical marijuana dispensary and cultivation facility; and a wellness center for public use, in an RU-4 (Rural) zoning district located near the intersection of W. Dagoon Rd. and N. Old Coyote Rd. in Cochise, AZ. The applicant is Catherine Mead.

Vice-Chairman Greene called for the Planning Director's report. Planner I Jim Henry presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Mr. Henry also explained Staff's analysis of the request. He closed by listing factors in favor of and against approval and invited questions from the Commission.

Mr. Martzke then opened the Public Hearing. Ms. Catherine Mead and Tom Maglione, the Applicants, explained the request. She detailed how the project has grown since the initial approval four years ago, detailing the demand, and explaining the types of patients they work with. She stated that there have not been any criminal incidents at their facility in the four years. Ms. Mead noted that there was a great deal of community support in the area. She explained that the operation was a non-profit, as required by law, and that they were planning to invest in youth services in the area as part of the non-profit mission. Ms. Mead continued by detailing the proposed wellness center for natural and holistic health services. She closed by inviting questions. Ms. Edie asked about the greenhouses in comparison to the existing grow area. Ms. Mead stated that this was a best case, phased plan, with expectations to construct only one. Ms. Edie asked about the phasing plan. Ms. Mead stated that it was based on demand, but expected a two to three year period. Mr. Gregan then asked about the other capacity and if the product was for onsite or offsite dispensaries. Ms. Mead stated that it was both, but offsite was delivered, and clarified that the additional wholesaling would still be done in one truck. Mr. Gregan asked if there had been any break ins or product stolen. Mr. Mead stated that there had been no such occurrences, and detailed her security measures, noting that they exceeded state requirements. Mr. Gregan asked about traffic concerns associated with the wellness center. Ms. Mead stated it was hypothetical at this point, and compared it to traffic from the Amerind Foundation, and stated that she hoped much of the clientele would be local. She then stated that if she outgrew the site she would happily move.

Mrs. Dorothy Pickett of Cochise spoke in opposition. Mrs. Pickett stated that she lived near the property, abutting corner to corner with the Applicant's property. She stated that there were many homes in the area. She expressed concern about water rights, water usage, chemical usage, safety, and drug use.

Mr. Edward Pickett of Cochise spoke in opposition. Mr. Pickett expressed concern about nearby school districts and the presence of children. He stated that while there have not been any break ins yet, but that he felt it would happen soon.

Ms. Mead rebutted, stating that there would not a lounge, and that the state prohibits the use of medical marijuana at a dispensary. She showed the water usage in relation to other

greenhouse crops, and explained the cultivation and pest control methods. She also explained the rainwater collection systems that would be installed on the greenhouses. Mr. Gregan asked about delivery trips per month. Ms. Mead stated that it averages one trip every other month.

There being no further speakers, Mr. Martzke closed the Public Hearing and asked for Staff's recommendation. Mr. Henry recommended Conditional Approval. Ms. Edie asked for clarification of the permit process and when permits for each building would be required. Mr. Gardner explained that each building would be permitted when it was ready for construction, and the conditions would be satisfied when the first permit is issued. Mr. Greene called for a motion. Ms. Edie made a motion of Conditional Approval, with the Conditions recommended by Staff. Mr. Gregan seconded the motion. There being no further discussion, Mr. Martzke called for a vote on the motion. The motion passed 5-0.

Motion: Motioned to Approve the Docket with the Conditions recommended by Staff

Moved by: Ms. Edie **Seconded by:** Mr. Gregan

Vote: Motion passed (**Summary:** Yes = 5, No = 0, Abstain = 0)

Yes: Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Gregan, and Ms. Edie

No: 0

Abstain: 0

Item 4 PUBLIC HEARING Docket SU-15-17 (Youth Pad, Inc)

A request for a Special Use authorization to approve a variety of uses for: educational services, group quarters, small engine repair services, restaurant, indoor/outdoor recreation, guest lodging, animal husbandry, and an RV Park that will be accessory to the church facility located in an RU-4 (Rural) zoning district located at 9210 E. Miracle Valley Loop in Palominas, AZ, locally known as the Miracle Valley Bible College. The applicant is The Youth Pad, Inc.

Vice-Chairman Martzke called for the Planning Director's report. Planner I Peter Gardner presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. Mr. Gardner also explained Staff's analysis of the request, including the requested modifications to site development standards. He closed by listing factors in favor of and against approval and invited questions from the Commission.

Mr. Martzke then opened the Public Hearing. Mr. Luis Bettencourt, the Applicant, explained the request, and invited questions from the Commission. Mr. Gregan asked about the final overall number of people that would be on site. Mr. Bettencourt explained he was aiming for about 200 students with accompanying faculty and staff. Mr. Martzke asked about time frame for the project. Mr. Bettencourt explained that they operated on donations, but hoped to be running within five years. Mr. Gregan asked why the entire concept was coming in at once, and expressed worry about the traffic and potential traffic improvements that might be out of reach of the Applicant. Mr. Gardner explained that Staff had recommended that the Applicant submit the entire package at once, and how the conditions were crafted with the input of the Transportation Planner to mitigate the traffic issues, and how Staff would work with him to foresee and prevent problems.

Mr. Joe Scelso of Hereford spoke, identifying himself as the owner of the ranch to the south of the site. He expressed support for the entire project including the requested modifications, as he would be most impacted by the building and wall, and preferred them as is, without the screening wall. He expressed support for the Applicant and his plans, and urged the

Commission to approve the docket. Mr. Scelso also supported lowering the speed limit on that stretch of the highway.

There being no further speakers in support or opposition, Mr. Martzke closed the Public Hearing and asked for Staff's recommendation. Mr. Gardner recommended Conditional Approval with the requested Modifications. Mr. Gregan expressed concern about the RV Park and its potential to grow and create an eyesore, and suggested screening that portion of the property. Mr. Gardner suggested limiting the Park to the existing number of spaces, except as permitted under the temporary use regulations. Mr. Gregan expressed approval, and Mr. Gardner wrote a condition to codify the requirement. Mr. Martzke called for a motion. Ms. Edie made a motion of Conditional Approval, with the Conditions and Modifications recommended by Staff, including the additional Condition #7 limiting expansion of the RV Park. Mr. Gregan seconded the motion. There being no further discussion, Mr. Martzke called for a vote on the motion. The motion passed 5-0.

Motion: Motioned to Approve the Docket with the Conditions and Modifications recommended by Staff, including Condition #7 limiting expansion of the RV Park

Moved by: Ms. Edie **Seconded by:** Mr. Gregan

Vote: Motion passed (**Summary:** Yes = 5, No = 0, Abstain = 0)

Yes: Mr. Martzke, Ms. Miller, Mr. Brauchla, Mr. Gregan, and Ms. Edie

No: 0

Abstain: 0

PLANNING DIRECTOR'S REPORT:

Board of Supervisors:

October 20, 2015

- a. Z-15-06 (Hidalgo) Naco rezoning passed on consent agenda

Next P&Z Commission meeting

December 9, 2015

- a. SU-15-19 (Crisantes) Medical Marijuana, cultivation only
- b. SU-15-20 (Pinnacle Tower Naco) Communications tower in Naco

Upcoming:

- a. Verizon St. David stealth cell tower

CALL TO COMMISSIONERS ON RECENT MATTERS:

None

ADJOURNMENT – Ms. Edie moved to adjourn, Mr. Gregan seconded, and the meeting was adjourned at 6:30 pm.



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Peter Gardner, Planner I *(Signature)*
FOR: Paul Esparza, AICP, Planning Director *PE*
SUBJECT: Docket SU-15-20 (Pinnacle Tower Naco)
DATE: November 30, 2015 for the December 13, 2015 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant is requesting a Special Use authorization for an 80-foot communications tower in a General Business (GB) zoning district. The proposed requires Special Use Authorization per Section 1205.12 of the Zoning Regulations. The applicant is Sun State Towers. The subject property, parcel 102-57-355B, is located at 3864 S. Towner Ave in Naco, AZ.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 9.92 Acres
Zoning: GB (General Business) / R-9 (Residential; one dwelling per 9,000 square-feet)
Growth Area: Category C-Rural Community Area
Comprehensive Plan Designation: Recreational Open Space
Area Plan: Naco Area Plan
Existing Uses: Trucking and Storage Yard
Proposed Uses: Wireless communications facility with 80-foot tower

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	R-9	Camp Newell
South	NA	International Border
East	GB / R-9	Mixed Commercial and Residential Uses
West	R-9	High Density Residential

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

II. PARCEL HISTORY

1933 – Warehouse built
1952 – Shipping docks built
1995 – Fence built
1996 – Permit for office building
2011 – Permit for additional warehouse

III. NATURE OF REQUEST

The Applicant is requesting a Special Use authorization to approve an unmanned wireless communications facility consisting of an 80-foot monopole tower and base equipment at the shipping and warehousing facility at 3864 S. Towner Ave approximately 110 feet north of the international border in Naco. This facility will expand the wireless coverage area for Verizon and is designed to accommodate at least one future wireless provider.

The tower and base equipment will be surrounded by a ten-foot tall chain link fence. This fence is in addition to an existing six-foot tall chain link fence around the developed portion of the site. Service technicians will enter the property through an existing gate and then proceed to a separate gate in the fence surrounding the tower and equipment.

There will be minimal traffic to and from the facility; service and maintenance personnel visit the site once or twice a month, normally at night when cell phone traffic is the lightest.

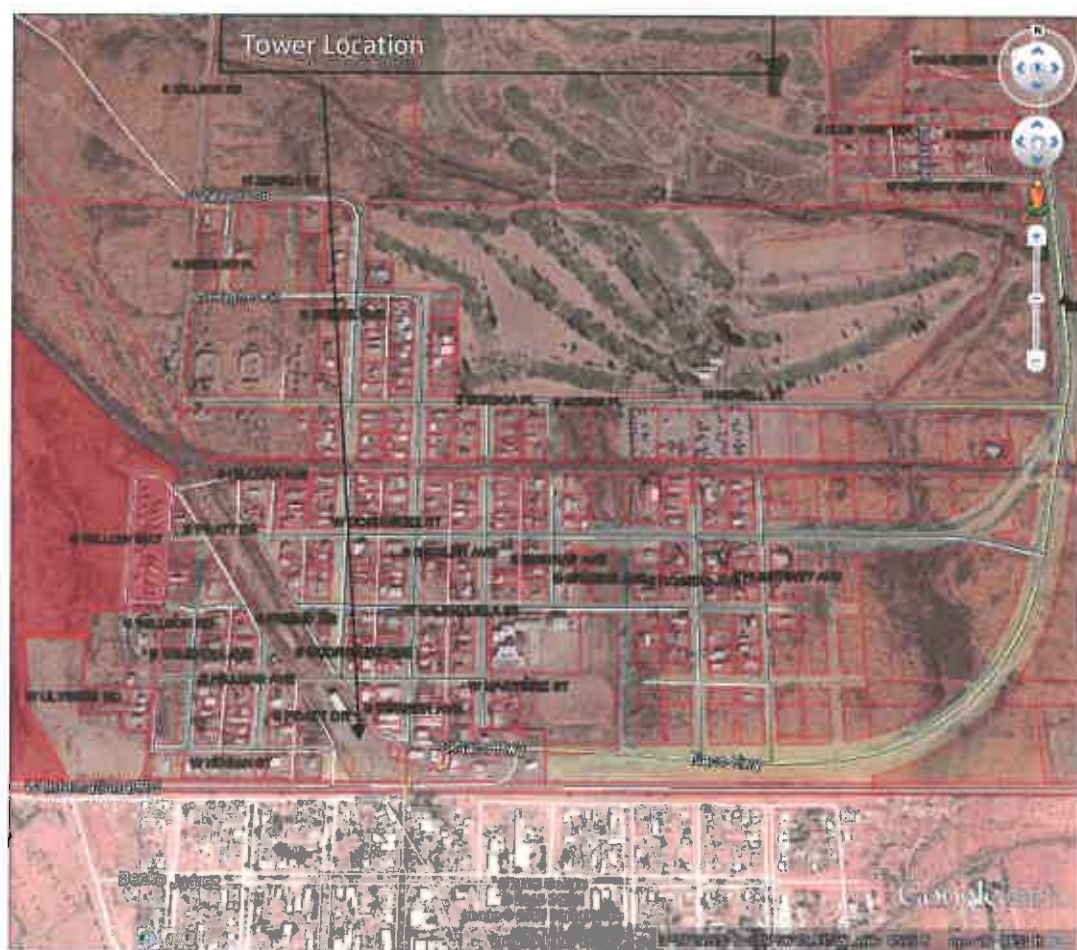
Eight antennas will be attached to the tower 80-feet above the ground, with four antennas oriented northwest, and four northeast. In addition, there will be a microwave dish oriented due north. All antennas and frequencies are Verizon FCC licensed:

Verizon	Height	Antenna Dimensions
Coax Antennas	80 feet	91.7" x 15.6" x 7.4"
Microwave Antenna	60 feet	60" Diameter

The Federal Communications Commission certifies all telecommunications equipment, bands, frequencies and power levels are within legal limits. The Community Development Department has confirmed that none of these frequencies would interfere with Public Safety or Fort Huachuca communications.



Location Map





View south to tower site



View to west with Fire Station and nearby residences

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of ten factors with which to evaluate Special Use applications. Staff uses these factors to help determine the suitability of a given Special Use request,

whether to recommend approval for a Special Use Authorization, as well as to determine what Conditions and/or Modifications may be needed.

Eight of the ten factors apply to this request. The project, as submitted, complies with all of those eight factors. The two remaining factors are not applicable to this application.

A. Compliance with Duly Adopted Plans: Complies

The proposed project complies with the Comprehensive Plan. The Land Use and Rural Character Elements encourage minimizing light pollution, and the site will only be lit as needed for maintenance. While the Rural Character Element encourages open views, Naco, due to its location on the border, has a number of lighting and surveillance towers of similar height. There are not any other architectural features or vegetation of similar height, so the best way to blend this tower in to the existing landscape is as another tower. The project site is also within the boundaries of the Naco area plan. The Naco plan was written in 1998 and does not mention communications infrastructure, but it does encourage locating commercial development near existing commercial development, separating incompatible land uses, and preserving existing open space. The proposed location achieves these goals by using an existing industrial site for the tower as opposed to constructing on open space or adjacent to residences.

B. Compliance with the Zoning District Purpose Statement: Complies

By locating the tower at an existing commercial site, the purpose Section 1201.03 "To encourage concentrated development of commercial activities for the convenience of the public" is met. The tower will be located at an existing commercial site rather than on a residential site or existing open space.

C. Development Along Major Streets: Complies

The property takes access from Towner Avenue, a public, county maintained road, and no new access points are being proposed.

D. Traffic Circulation Factors: Complies

The applicant provides periodic maintenance to the antennas on the tower once or twice a month as needed. The Special Use, if granted, will not significantly increase the traffic on Towner Avenue. In addition, the site is currently used for trucking and warehousing, with a volume of traffic far exceeding any potential traffic from the tower.

E. Adequate Services and Infrastructure: Complies

The project site is served by APS and CenturyLink; no other utilities are required by the Applicant. The parcel is in the Naco Fire District; increased fire risk is negligible. The site is accessed by Towner Avenue, a county-maintained roadway.

F. Significant Site Development Standards: Complies

The site development standards for Communications Facilities are found in Article 18, Section 1813 of the Zoning Ordinance. The proposed monopole tower makes collocation available for at least one future wireless service provider as required by the regulations. This application meets the 27-foot setback for the tower and base facility. At 80 foot tall the proposed monopole is exempt from Federal Aviation Administration lighting and marking requirements which require lighting and marking if a structure is 200-feet tall or higher.

The application meets the off-street parking requirement.

The site is not in a designated floodplain.

Staff is recommending that, other than emergency signage, no additional signage be permitted for this use.

G. Public Input: Complies

The Applicant sent letters and elevation drawings to all property owners within 1,000-feet of the tower parcel to notify them of his application and to address any neighbor concerns

H. Hazardous Materials: Not Applicable

I. Off-Site Impacts: Complies.

The antennas do not generate smoke, noise, lights, or odors. The most significant noise is generated by the air conditioning units on ground in the equipment shelters that are similar to air conditioning units in homes. The tower will have no lights and the base facility will have no lighting except when the technician is on-site working.

J. Water Conservation: Not Applicable

No new water use is proposed.

VI. PUBLIC COMMENT

The Planning Department mailed notices to neighboring property owners within 100-feet of the subject property. Staff posted the property on November 18, 2015 and published a legal notice in the *Bisbee Observer* on November 25, 2015. In response to applicant and County mailings, the Planning Department received two letters supporting this request.

VII. SUMMARY AND CONCLUSION

This request is for a Special Use authorization to approve a wireless communications facility consisting of an 80 foot-tall monopole tower and base equipment surrounded by a ten-foot high chain link fence at a trucking and shipping facility in Naco.

Factors in Favor of Approving the Special Use

1. With the recommended Conditions of Approval, the proposed use would fully comply with the eight Special Use factors used by staff to analyze this request;
2. Cochise County encourages co-location of wireless facilities and the proposed tower and base facilities are designed to provide co-location for at least one additional wireless provider; and
3. The applicant is providing wireless phone and data service to the community.
4. The applicant is improving 911 emergency coverage in the area
5. Two letters of support have been received.

Factors Against Allowing the Special Use

None

VIII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Conditional Approval** of the Special Use request, subject to the following Conditions:

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. It is the Applicant's responsibility to obtain any additional permits, or meet any additional Conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. No signage, other than emergency signage, will be allowed for this wireless communications facility.
4. Any changes to the approved Special Use, including additional height to the security/screen wall beyond the ten feet requested in this Special Use application will be considered a Modification to this Special Use and will require review and approval of the Planning and Zoning Commission.

Sample Motion: *Mr. Chairman, I move to approve Special Use Docket SU-15-20, with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

IX. ATTACHMENTS

- A. Application
- B. Parcel map and aerial
- C. Agency comment memos
- D. Citizen Comment



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

COCHISE COUNTY PLANNING DEPARTMENT COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE (TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER 102-57-355B

APPLICANT Sun State Towers

ADDRESS 1426 N Marvin St #101 Gilbert, AZ 85233

CONTACT TELEPHONE NUMBER (480) 664-9588 x234

EMAIL ADDRESS: garrett.jonilonis@pinnacleco.net

PROPERTY OWNER (IF OTHER THAN APPLICANT) JCDC LLC

ADDRESS 3864 S Towner Ave

Naco, AZ 85620

DATE SUBMITTED 10/20/2015

Special Use Permit Public Hearing Fee (if applicable)	\$ <u>300.00</u>
Building/Use Permit Fee	\$ <u>NBD</u>
Total paid	\$ <u>300.00</u>

PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (6) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. (Please note that **nine (9) copies will be required for projects occurring inside the Uniform Building Code enforcement area. In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.**)
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)

6. Hazardous or Polluting Materials Questionnaire, if applicable.

OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Traffic Impact Analysis (TIA): **Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.**
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

PART TWO - QUESTIONNAIRE

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid confusion once the permit is issued.

SECTION A - General Description (Use separate sheets as needed)

1. What is the existing use of the property? Property exists as a commercial fleet depot, with shipments to and
from the international border with Mexico. Zoning is R-9 GB and communication facilities are permissible with a SUP.
2. What is the proposed use or improvement? Proposal includes installation of an 80' monopole with twelve (12)
antennas and associated equipment cabinetry, contained within a 50' x 50' compound. Site is structurally designed to
be collocatable for one or two additional future wireless carriers.
3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? Operational/neighborhood impact will be
positive on the basis of wireless voice and data improvements and connectivity. Enhanced E911 GPS capabilities.
4. Describe all intermediate and final products/services that will be produced/offered/sold.
Site is unmanned and will only have personnel on site, usually once monthly for regular diagnostic checks and facility
maintenance, with a duration no longer than 30 minutes to an hour.

5. What materials will be used to construct the building(s)? (Note, if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal)

Galvanized steel monopole structure, electronic cabinetry, compound area enclosed by 50' x 50' chain link fence.

6. Will the project be constructed/completed within one year or phased? One Year ☒
 Phased ☐ if phased, describe the phases and depict on the site plan.

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: Hours (from AM to PM)

B. Number of employees: Initially: Future:

Number per shift Seasonal changes

- C. Total average daily traffic generated:

- (1) How many vehicles will be entering and leaving the site.

None daily.

- (2) Total trucks (e.g., by type, number of wheels, or weight)

N/A

- (3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?

Site to be accessed from southbound Towner Ave, ingress off westbound Martinez St.

- (4) If more than one direction, estimate the percentage that travel in each direction

50/50, entry and exit following routine maintenance (approximately once per month).

- (5) At what time of day, day of week and season (if applicable) is traffic the heavies

Varied.

Circle whether you will be on public water system or private well. If private well, show the location on the site plan.

D. Estimated total gallons of water used: per day per year

Will you use a septic system? Yes ☐ No ☒ If yes, is the septic tank system existing?

Yes ☐ No ☐ Show the septic tank, leach field and 100% expansion area on the site plan.

- G. Does your parcel have permanent legal access*? Yes ☒ No ☐ if no, what steps are you taking to obtain such access?

*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet. If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

- H. For Special Uses only - provide deed restrictions that apply to this parcel if any.

Attached ☐ NA ☒

8. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	N/A	
Sewer/Septic	N/A	
Electricity	Arizona Public Service	
Natural Gas	N/A	
Telephone	CenturyLink	
Fire Protection	Naco Fire District	

SECTION B - Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors.

None; placement of monopole with associated appurtenances and outdoor cabinetry are static and produce no

noticeable noise, water run-off or noxious odors. RF propagation enhances connectivity with wireless devices.

2. Will outdoor storage of equipment, materials or products be needed? Yes ☐ No ☒ if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties.

3. Will any noise be produced that can be heard on neighboring properties? Yes ☐ No ☒ if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties?

Noise is limited to small cooling fans within the equipment cabinetry. An on-site back up generator is to be included

in the event of commercial power loss. Generator specs to be included with Building Permit application.

4. Will any vibrations be produced that can be felt on neighboring properties? Yes ☐ No ☒ If yes, describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties?

5. Will odors be created? Yes ☐ No ☒ If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties?

6. Will any activities attract pests, such as flies? Yes ☐ No ☒ If yes, what measures will be taken to prevent a nuisance on neighboring properties?

7. Will outdoor lighting be used? Yes ☐ No ☒ If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.

8. Do signs presently exist on the property? Yes ☐ No ☒ If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.

A. B. C. D.

9. Will any new signs be erected on site? Yes ☐ No ☒ If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?
Yes ☐ No ☒

If yes, will storm water be directed into the public right-of-way? Yes ☐ No ☒

Will washes be improved with culverts, bank protection, crossings or other means?
Yes ☐ No ☒

If yes to any of these questions, describe and/or show on the site plan.

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)

12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)

13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?
Yes ☐ No ☒ If yes, show details on the site plan. **Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.**

SECTION C - Water Conservation and Land Clearing

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Planning Department has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

N/A

2. How many acres will be cleared?
If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.)

SECTION D - Hazardous or Polluting Materials

Some businesses involve materials that can contaminate the soil, air, water, waste disposal system or environment in general. Precautions must be taken to protect the environment when such products are distributed to or from the site, stored, manufactured, processed, disposed of, or released as raw materials, products, wastes, emissions, or discharges (When sold or incorporated in a product these materials are required to have Material Safety Data Sheets (MSDS) supplied by the manufacturer.) Examples of such products include but are not limited to paint, solvents, chemicals and chemical wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, biological wastes etc.

Does the proposed use have any activities involving such materials?

Yes ☐ No ☒ If yes, complete the attached *Hazardous or Polluting Materials Use Questionnaire*.

Note: Depending on quantities, this question does not apply to ordinary household or office products or wastes such as cleansers, waxes or office supplies. Answer YES only if the materials are involved in the commercial or special use process or if landscaping or maintenance chemicals (pesticides, fertilizers, paints, etc.) will be present in quantities greater than 50 pounds (solids) or 25 gallons (liquids).

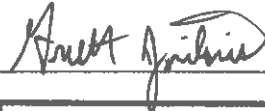
If you answer NO to this question but in the County's experience, the type of business proposed typically uses such materials, you will be asked to complete the *Hazardous or Polluting Materials Questionnaire* prior to processing this Commercial Use/ Building/ Special Use Permit.

Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research. The Arizona Department of Environmental Quality Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333).

SECTION E - Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature



Print Applicant's Name

Garett Jonlonis

Date signed

10/20/2015



Verizon Wireless Site Name: AZ6 Naco
Site Address: 3864 S Towner Ave
Naco, AZ 85611
APN: 102-57-355B



Submitted by:
Sun State Towers
1426 N Marvin Street, Suite #101
Gilbert, AZ 85233

Purpose of Request

Verizon Wireless is requesting a Use Permit to install a Wireless Communication Facility (WCF). The proposed facility will provide expanded wireless broadband internet and voice services, as required by Verizon Wireless' Federal Communications Commission license. This facility is being proposed to improve coverage and capacity given no Verizon sites are nearby. Every WCF has a maximum capacity for the amount of data it can transmit or number of callers it can handle at a single moment in time. The addition of the proposed facility is due to the growing demand in this area and increased travels along AZ Highways 92 and Bisbee Junction Rd.

Description of Proposal

Verizon Wireless is proposing to develop a new monopole WCF, on the southwestern-most corner of 3864 S Towner Ave. This design accomplishes Verizon's objective to provide high quality and reliable wireless services to their customers, while providing a new verticality with structural capacity for one or two additional carriers. This site will provide improved voice and data services to the surrounding residential and commercial properties.

This proposal consists of (i) a 50' x 50' enclosed lease area, containing (ii) an 80' monopole (measured to top of antenna), and (iii) a 16' x 8' state approved prefabricated equipment platform supporting associated radio cabinetry. The antenna centerline height proposed is 76' AGL. The ground equipment will be secured and enclosed by an 8' chain link fence. The monopole will not significantly detract from the vistas in the area. Existing landscape will not be disturbed by this proposal.

Relationship to Surrounding Properties and Neighborhood Impact

This proposed WCF will not be detrimental to persons residing or working in the vicinity, properties adjacent to the site, nearby residential, or to the public welfare in general. This proposal is in full compliance with the conditions, requirements, and standards, set forth by the County of Cochise's Code of Ordinances. The proposed WCF is located on a parcel zoned R-9 GB and is located approximately 250' from the closest residential zoned property. From the site, the respective property lines are approximately 252' to the north, approximately 80' to the west, approximately 80' to the south and approximately 247' to the east.

The residents, travelers and commercial operations will be the primary beneficiaries of the improved wireless service, as well as further enabling Border Patrol and local first responders, many of whom utilize Verizon Wireless as their provider.

Hours of Operation

This proposed WCF will operate 24 hours per day, 7 days per week with no personnel onsite. The site will be connected to and monitored by a central switching center. The site will not be open or accessible to the public and will be periodically visited by a Verizon technician for

routine maintenance. Typically on-site maintenance is expected to occur approximately once per month. Tech parking available on site.

Noise, Light, Nuisances, and Other Environmental Considerations

This site will not use any water or generate any wastewater or solid waste. Tech lighting has full cut off fixtures on a four hour timer and will only turn on during periodic servicing. The proposed facility will not generate any noxious odors, sounds, or vibrations. Extra noises are limited to small cooling fans within the equipment cabinets and a backup power generator, in case of emergency services.

Alternative Site Review

Research was completed to find all WCFs within a 15 mile radius and all vertical structures within a 1 mile radius. Within a 5 mile search area, no existing WCF's or sufficient verticality exists. No of the structures within this area maintains the height needed by Verizon to satisfy their coverage objective.



Other existing vertical structures are listed below, and displayed on a map on the next page. As indicated in the following table, these sites are not viable for co-location.

	Distance	Location	Height	Type	Justification
1	6.5 miles northeast	31.415967° N -109.894880° W	90'	AT&T Self support	Too far away
2	7.6 miles north	31.447161° N -109.931989° W	87'	ATC Monopole	Too far away

3	15.5 miles northwest	31.382314° N -110.206289° W	105'	AT&T Monopole	Too far away
4	10.3 miles north	31.481565° N -109.959440° W	145'	CCI Self support	Too far away
5	10.1 miles east	31.444594° N -109.829992° W	124'	AT&T Self support	Too far away

Location and Accessibility/ Circulation System

The proposed development will be accessible from the existing paved ROW at Martinez St and ingress to the facility through an existing access easement along the north end of the parcel. As an unmanned facility, the development will not increase traffic. This facility will not have a dedicated space for parking; however abundant open space is available within the compound.

Development Schedule

The overall development of this site will take approximately 45 days, with the bulk of work being accomplished in the first 4 weeks. The work will be accomplished during regular business hours and will require the use of standard grading equipment. During this time, there may be multiple vehicles and laborers performing the work. After completion of development, this facility will only require periodic maintenance. Typically maintenance requires one vehicle and can be accomplished 24 hrs per day, 7 days per week.



October 20, 2015

Notification Letter

Sun State Naco – 3864 S Towner Ave

REQUEST: Special Use Permit

PROPOSAL: Wireless Communication Facility – 80' monopole (Verizon Wireless)

LOCATION: 3864 S Towner Ave

LOT SIZE: 430,929.15 ft²

AUTHORIZED AGENT: Pinnacle Consulting, Inc | 1426 N Marvin St #101 Gilbert, AZ 85233

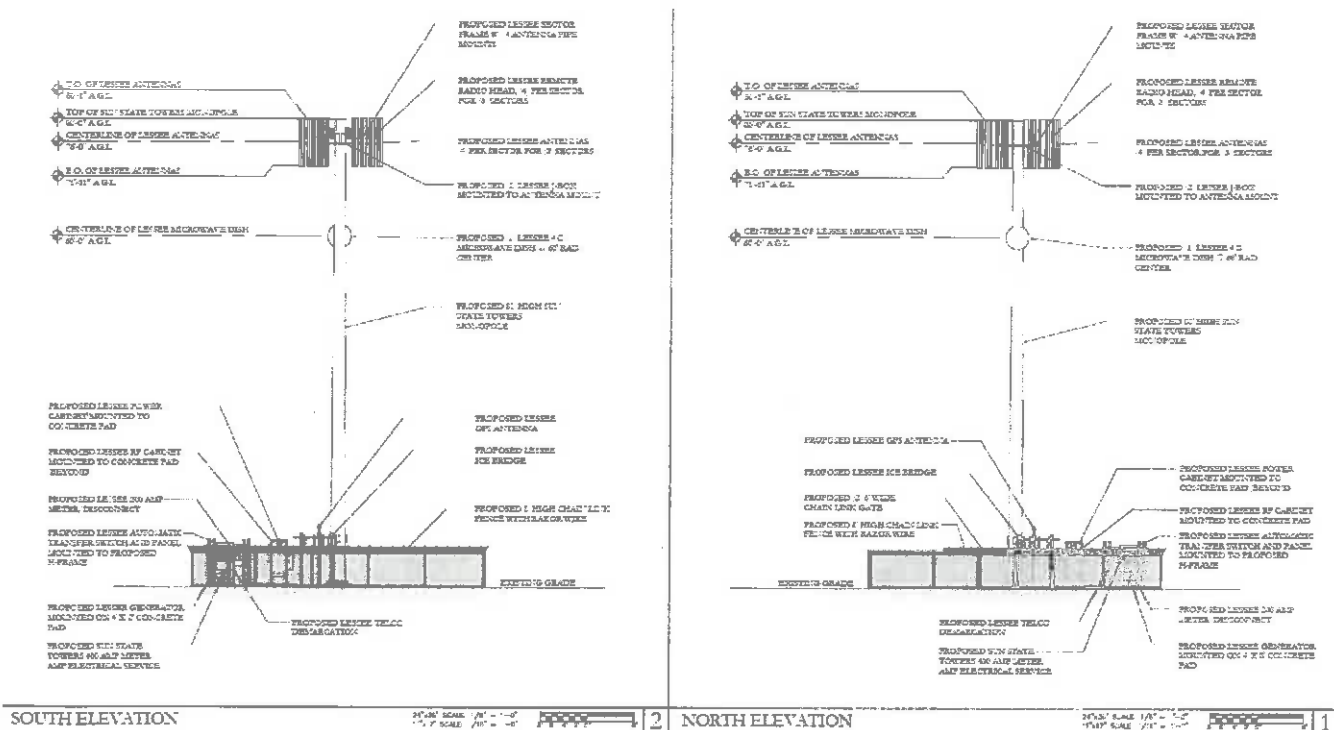
CONTACT: Garrett Jonilonis | (480) 664-9588 x234 | garrett.jonilonis@pinnacleco.net
Peter Gardner | (520) 432-9300 | pgardner@cochise.az.gov





Owner or Interested Party,

An application will be filed shortly with the Cochise County Community Development Department regarding the request above. As required by the Cochise County Zoning Ordinance, this notice is being sent to you because property listed in your name is located within 1,000 feet of the site noted above. This notice provides you with an opportunity to relay any questions, concerns or offer of support regarding this application. Reliance on 'cell service' has become an integral component of public safety communications, border operations and individual connectivity. Verizon is committed to provision of superb wireless coverage and the immediate benefits to the community that are inherent in any expansion of wireless technology.



THIS IS NOT A NOTICE OF PUBLIC HEARING WITH THE PLANNING AND ZONING COMMISSION OR BOARD OF ADJUSTMENT. YOU MAY RECEIVE SUCH NOTICE IF THE APPLICATION IS SCHEDULED FOR A HEARING.



SITE NAME:
AZ04-039 SMUGGLER
AZ6 NACO

SITE ADDRESS:
3864 S. TOWNER AVENUE
NACO, AZ 85620

[illegible]

1662 W. BLAYLOCK DRIVE
PHOENIX, AZ 85045
P. 480-440-1748
F. 623-777-1782
www.terramarksurveying.com



SITE SURVEY

JOB NO:	FIELD BY:	DRAWN BY:
1403110	MJC	MJC

SHEET NO:	SHEET NAME:
1 OF 2	LS-1

A PARCEL OF LAND BEING A PORTION OF LOTS 3 AND 4 OF SECTION 19, TOWNSHIP 34 SOUTH, RANGE 24 EAST OF THE GILA AND SALT RIVER BASIN AND MERRIDIAN, COCHISE COUNTY, ARIZONA, AND LIVING WITHIN THAT CERTAIN PARCEL OF LAND DESCRIBED SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2010-20415 AND AS SHOWN ON THE RECORD OF SURVEY RECORDED IN BOOK 20 OF SURVEYS, PAGE 47, COCHISE COUNTY RECORDER'S OFFICE. COCHISE COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN DEED BOOK 10, PAGE 115, F.S.; 200.00 FEET THENCE NORTH 00°00'00" EAST ALONG THE SOUTH LINE OF SAID PARCEL OF LAND, THENCE NORTH 89°59'59" EAST ALONG THE SOUTH LINE OF SAID PARCEL OF LAND, THENCE NORTH 00°00'00" EAST 55.03 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING NORTH 00°00'00" EAST, 50.00 FEET; THENCE NORTH 00°00'00" EAST, 50.00 FEET; THENCE SOUTH 00°00'00" EAST, 50.00 FEET; THENCE NORTH 00°00'00" WEST, 50.00 FEET TO THE POINT OF BEGINNING.

A 1200 FOOT WIDE STRIP OF LAND BEING A PORTION OF LOTS 3 AND 4 OF SECTION 19, TOWNSHIP 34 SOUTH, RANGE 24 EAST OF THE GILA AND SALT RIVER BASIN AND MINERAL, COCHISE COUNTY, ARIZONA, AND LIVING WITHIN THAT CERTAIN PLACE OF LAND DESCRIBED SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2010-20415 AND AS SHOWN ON THE RECORD OF SURVEY RECORDED IN DOCUMENT NUMBER 20 OF SURVEYS, PAGE 47, COCHISE COUNTY RECORDER'S OFFICE, COCHISE COUNTY, ARIZONA, LIVING 600 FEET OR OTHER SIDE OF THE FOLLOWING DESCRIBED

COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2010-20415 FROM WHICH THE SOUTHEAST CORNER OF SAID PARCEL BEARS NORTH 89°30'S EAST, 17.81 FEET; THENCE NORTH 89°30'S EAST, ALONG THE SOUTH LINE OF SAID PARCEL, 17.81 FEET; THENCE NORTH 00°00'00" EAST, 103.03 FEET; THENCE NORTH 80°00'00" EAST, 20.34 FEET TO THE POINT OF BEGINNING, THENCE NORTH 80°00'00" EAST, 20.34 FEET; THENCE NORTH 00°00'00" EAST, 141.74 FEET TO A

2. AN EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES, RECORDED AS BOOK 48 OF MISCELLANEOUS RECORDS, PAGE 348. (DOES NOT AFFECT)

- [illegible]

BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM ARIZONA STATE PLANE ZONE EAST, DETERMINED BY GPS OBSERVATIONS.

ELEVATIONS SHOWN HEREON ARE REPRESENTED IN NAVD83 ESTABLISHED FROM GPS SURVEYS. VERTICAL DATUM IS MEAN SEA LEVEL. HORIZONTAL DATUM IS NAD83. ALL DISTANCES DERIVED ORTHOMETRIC HEIGHTS, APPLYING GEOID 12A SEPARATIONS.

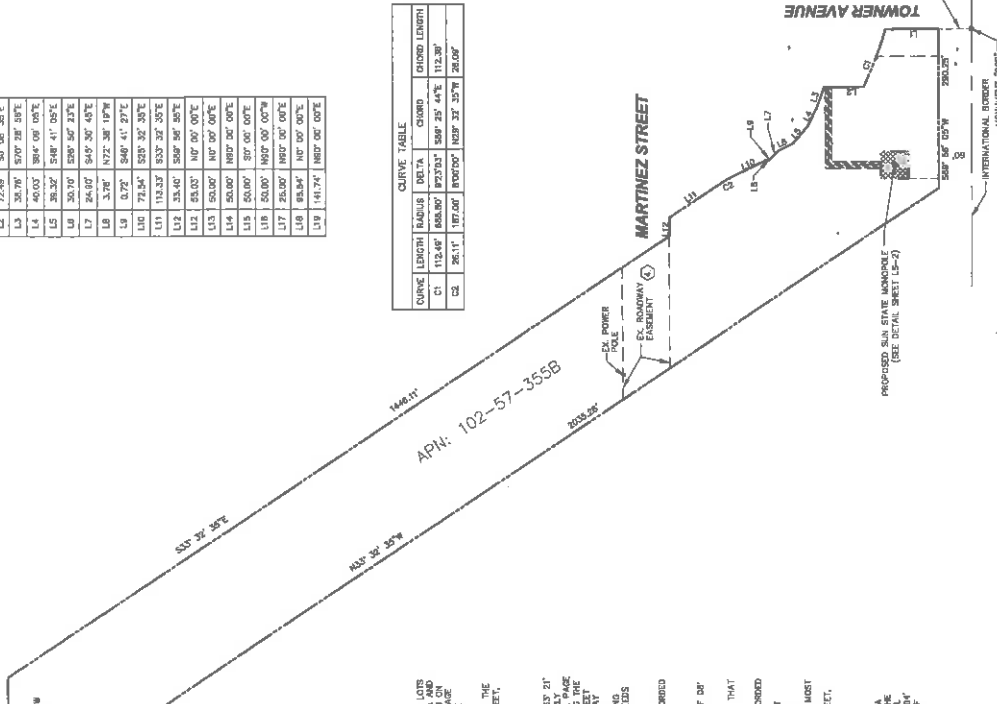
THE FIELD SURVEY FOR THE PROJECT WAS COMPLETED ON 08/25/15.

CENTER OF GEODETIC COORDINATES

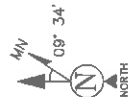
SUN STATE MONOPOLIC LOCATION
LATITUDE: 31° 20' 04.061" NORTH (NAD83)
LONGITUDE: 109° 50' 57.329" WEST (NAD83)
ELEVATION @ GRADE = 4615.9' (NAD83)

LINE TABLE		
LINE	LENGTH	DEFINING
L1	86.45	NO 00' 35" E
L2	72.49	S 07' 00' 35" E
L3	38.70	S 07' 30' 35" E
L4	30.65	S 06' 00' 35" E
L5	36.32	S 40' 41' 05" E
L6	30.70	S 05' 30' 35" E
L7	26.00	S 47' 30' 45" E
L8	3.78	N 72' 30' 19" W
L9	0.72	S 40' 41' 05" E
L10	73.54	S 05' 30' 35" E
L11	113.33	S 53' 32' 35" E
L12	13.32	S 07' 00' 35" E
L13	50.00	NO 00' 00" E
L14	50.00	N 07' 00' 00" E
L15	50.00	N 07' 00' 00" E
L16	50.00	N 07' 00' 00" E
L17	25.00	N 07' 00' 00" E
L18	85.84	N 14' 14" E
L19	14.74	N 00' 00' 00" E

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD LENGTH
C1	112.48'	835.80'	97°20'3"	558' 25" 44"E	112.38'
C2	26.11'	187.60'	87°00'50"	N25° 32' 35"W	26.09'



BOUNDARY DETAIL
SCALE: 1" = 100'



A PORTION OF THE SOUTHWEST QUARTER OF SECTION 18 AND A PORTION OF LOTS 5 AND 4 OF SECTION 19, TOWNSHIP 24 SOUTH, RANGE 24 EAST OF THE GILA AND SAN RIVER BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA, AND AS SHOWN ON THE TOWNSHIP OF NAJO PLAT RECORDED IN BOOK 1 OF MAPS AND PLATS, PAGE 130, COCHISE COUNTY RECORDER'S OFFICE, COCHISE COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN CONCRETE FOR MONUMENT NUMBER 92 ON THE AMERICAN INTERNATIONAL BOUNDARY; THENCE WEST 4870.12 FEET (4872.74 FEET, EXCEEDED) ALONG SAID BOUNDARY LINE TO A 2" ALUMINUM CAP L3112B1

[illegible]

THE FOLLOWING 5 COURSES ARE ALONG THE BOUNDARY OF SAID TRACT RECORDED

AT 9608-16436:
1. SOUTH 89° 54' 20" EAST, 33.40 FEET;
2. SOUTH 89° 54' 20" EAST, 113.33 FEET;
3. S, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 80° 00' 00", A RADIUS OF 197.00 FEET FOR AN ARC DISTANCE OF 26.11 FEET;
4. SOUTH 25° 28' 00" EAST, 72.54 FEET (72.97 FEET, RECORD);
5. SOUTH 46° 36' 52" EAST, 0.72 FEET TO THE NORTHEASTLY CORNER OF THAT TRACT ACQUIRED AT 9608-16434;

[illegible]

SECTION 30
4. SOUTH 48° 36' 30" EAST, 38.33 FEET;
5. SOUTH 64° 04' 30" EAST, 40.03 FEET;
6. SOUTH 70° 24' 30" EAST, 38.78 FEET;
THENCE SOUTH 00° 04' 30" EAST, 72.45 FEET; THENCE 172.45 FEET ALONG A
RANGE LINE SOUTH 00° 04' 30" WEST, 30 FEET, NORTHERLY AND MEASURED RAGDALLY FROM THE
CENTRE OF THE 100-FOOT RAILROAD RIGHT-OF-WAY, HAVING A CENTRAL
ANGLE OF 69° 23' 03" AND A RADIUS OF 104.00 FEET; THENCE SOUTH 00° 04'
30" EAST, 89.45 FEET ALONG SAID "D" STREET CENTRALLINE TO THE CORNER OF

1. ALL TITLE INFORMATION IS BASED UPON A COMMITMENT FOR TITLE INSURANCE PREPARED BY GREAT AMERICAN TITLE INSURANCE CO, ORDER NO.: 21503208 EFFECTIVE DATE: 07/30/2015.

2. SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE.
3. THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY AND IS NOT INTENDED TO VERIFY OWNERSHIP.
4. SURVEYOR DOES NOT GUARANTEE THE LOCATION, EXISTENCE, SIZE OR DEPTH OF ANY PUBLIC OR PRIVATE UTILITY. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY INFORMATION FROM THE OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE



SITE NAME:
AZ04-039 SMUGGLER
AZ6 NACO

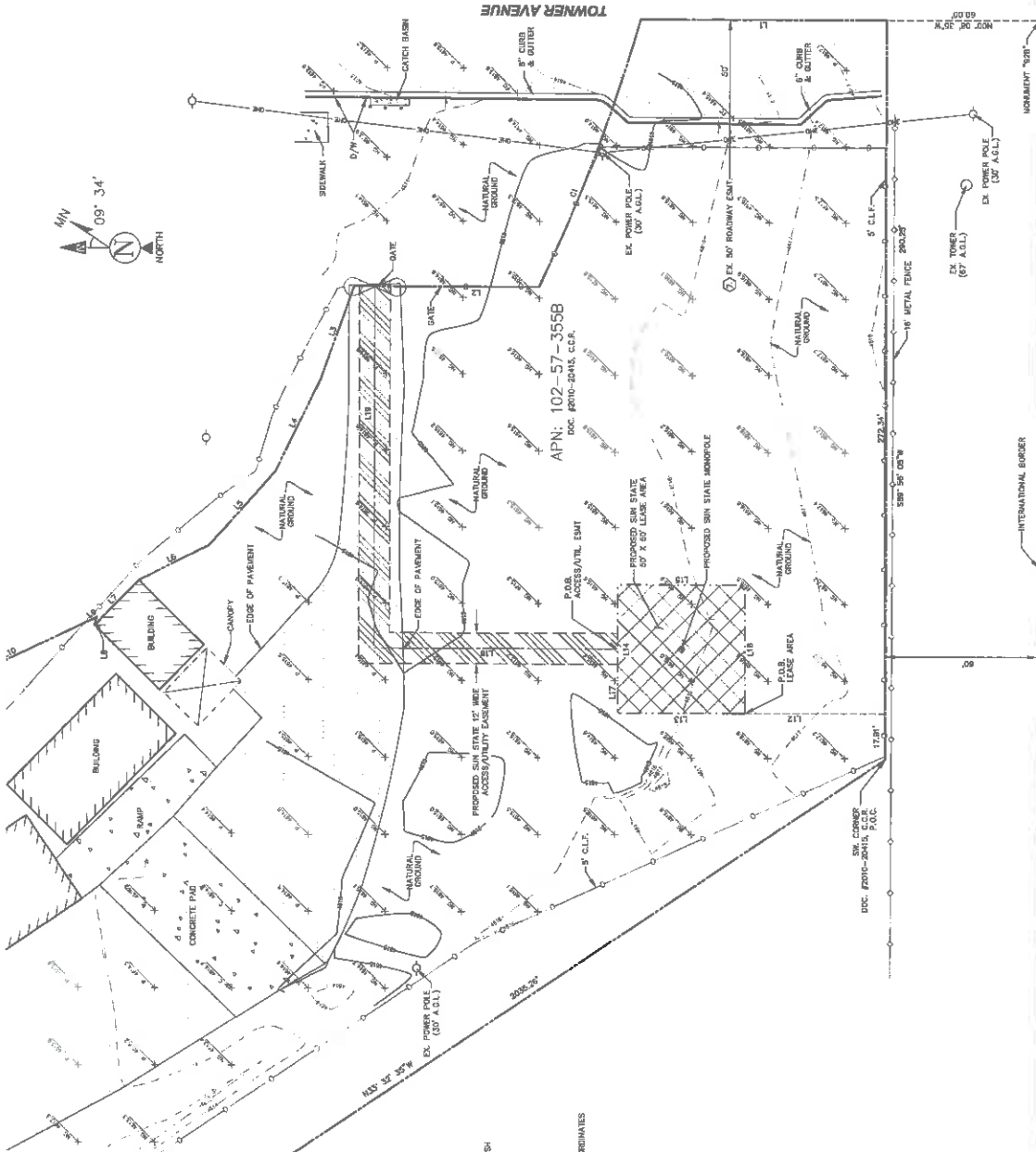
SITE ADDRESS:
3984 S. TONNER AVENUE
NACO, AZ 85620

[illegible]

SITE SURVEY

JOB NO:	FIELD BY:	DRAWN BY:
1403110	MJC	MJC

SHEET NO.: 2 OF 2
SHEET NAME: LS-2



GRAPHIC SCALE

(IN FEET)

1 inch = 20 ft.

●	FOUND ALUMINUM CAP FLUSH
○	CALCULATED POSTHOLE
□	TELEPHONE POSTHOLE
△	DOWN GUY
+	DOWN GUY
○	RECORDING TREE (TYP)
○	BOLLARD
■	BREAK LINE
○	POINT OF BEGINNING
○	POINT OF BEGINNING
○	EXISTING
○	NATURAL GRADE
○	CONCRETE GRADE
○	CHAIN LINK FENCE
○	FACE OF CURB
○	ABOVE GROUND LEVEL
○	EXISTING LINE
○	CONTRIBUTORIAL
○	LEAST LINE
○	RE-USE
○	IRON PIPE
○	4" ELECTRIC LINE
○	CONCRETE AREA
○	CONCRETE

124 W. CHURCH ST. SUITE 200, AZ 85001
PH: (602) 495-1234
FAX: (602) 495-1234

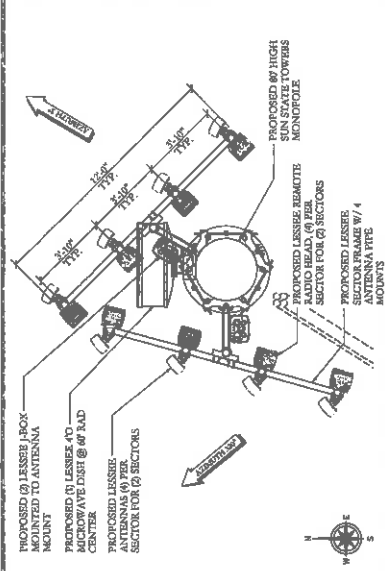
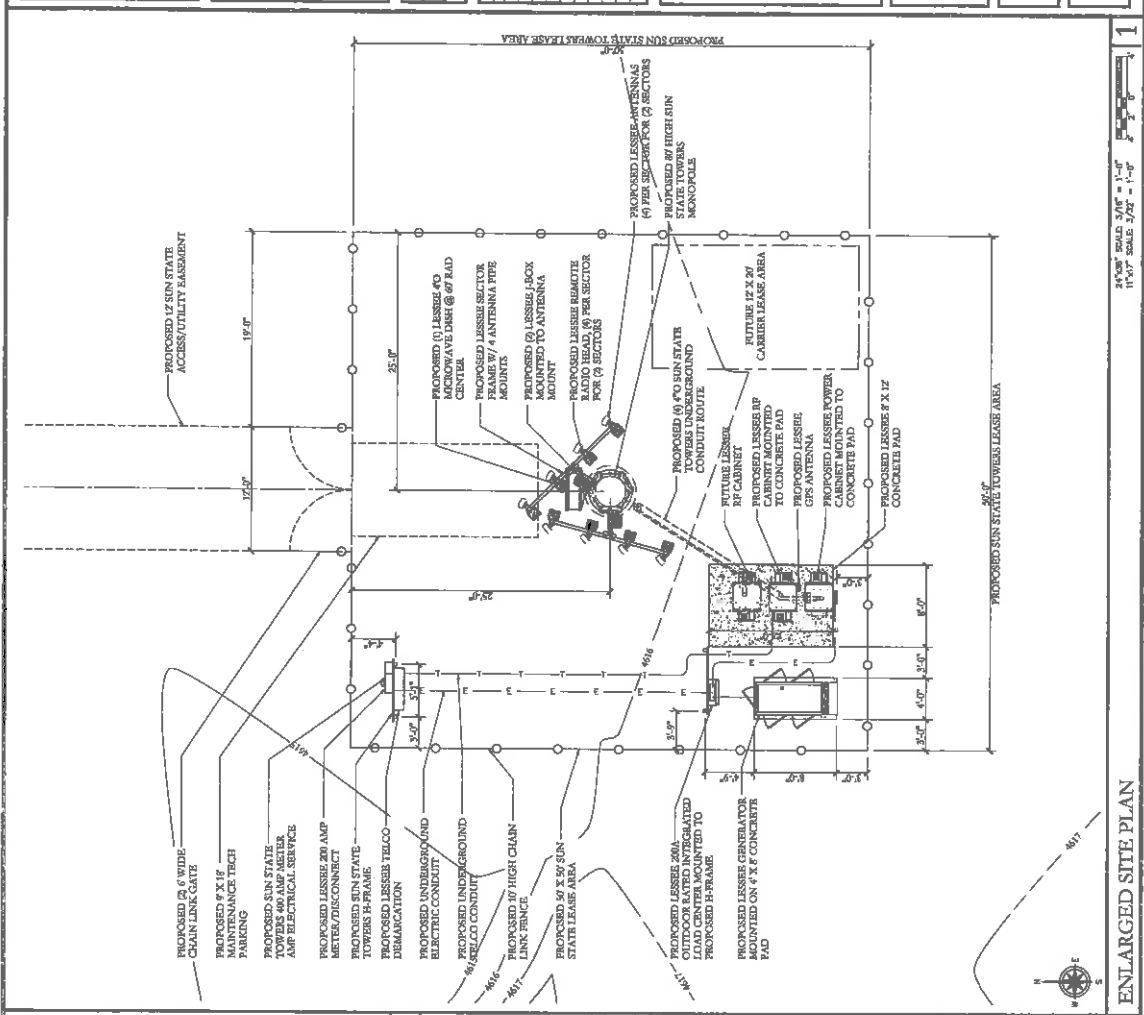
SUN STATE
TOWERS
A.C. - 2014 AMT - 1011-10
1011-10

PROJECT NO. 1001
DRAWN BY: [blank]
CHECKED BY: [blank]

REV	DATE	DESCRIPTION
1	10/1/14	ISSUED FOR PERMITTING
2	10/1/14	ISSUED FOR CONSTRUCTION

AZ04-099 SMUGGLER/
AZ6 NACO
1011-10
1011-10
1011-10
1011-10

SHEET TITLE
ENLARGED SITE PLAN
SHEET NUMBER
A-2



ANTENNA PLAN

1"=40' SCALE 3/16" = 1'-0"

SECTOR	AZIMUTH	NO.	SIZE	TYPE
ALPHA	30°	1	110' x 110'	HYPERFLEX
BETA	120°	1	110' x 110'	HYPERFLEX
GAMMA	210°	1	110' x 110'	HYPERFLEX

NOTE: ANTENNA SHOWN ARE RELATIVE TO TRUE NORTH, UNLESS NOTED OTHERWISE.
*IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY, PRIOR TO INSTALLING ANTENNAS.

COAX CABLE TABLE

MAKE	MODEL	HEIGHT	WIDTH	DEPTH	SECTOR
ANTEL	HEXASCORP	91.7'	15.6"	7.4"	ALPHA & GAMMA

ANTENNA DETAIL

1"=40' SCALE 3/16" = 1'-0"



124 W. GILBERT DR. TUCUMCARI, AZ 86303
PHONE: (505) 777-6000
FAX: (505) 777-6001

CONTRACTING FIRM



SUN STATE
TOWERS
1000 S. GILBERT DR. TUCUMCARI, AZ 86303
(505) 777-6000

PROJECT NO.	008
DRAWN BY	CH
CHECKED BY	CH

REV	DATE	DESCRIPTION
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2	11/11/11	ISSUED FOR PERMITS
3	11/11/11	ISSUED FOR CONSTRUCTION

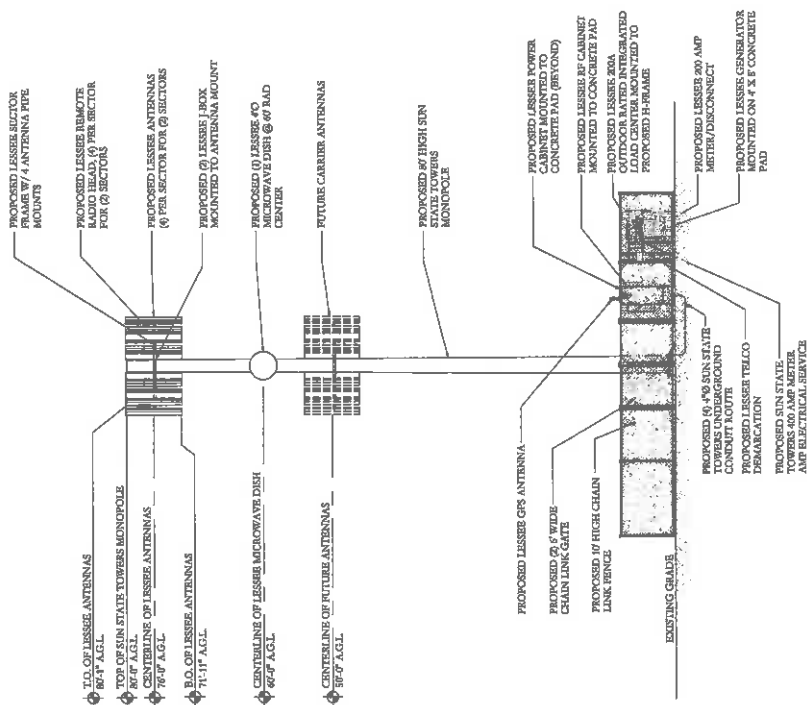
AZ04-039 SMUGGLER/
AZ6 NACO

1000 S. GILBERT DR.
TUCUMCARI, AZ 86303

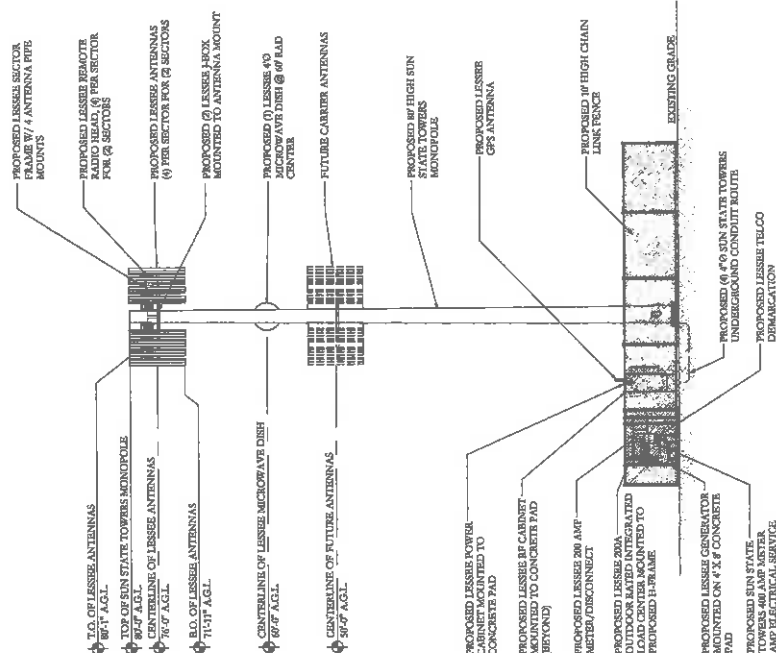
SHEET TITLE

ELEVATIONS

SHEET NUMBER
A-3



1 NORTH ELEVATION



2 SOUTH ELEVATION

PROPOSED TOWER



125 W. CHANDLER, TEMPE, AZ 85283
PHONE: (480) 345-1234
FAX: (480) 345-1234

CONSULTING FIRM



**SUN STATE
TOWERS**
125 W. CHANDLER, TEMPE, AZ 85283
PHONE: (480) 345-1234
FAX: (480) 345-1234

PROJECT NO. 0000
DRAWN BY: CH
CHECKED BY: CH

REV	DATE	DESCRIPTION
1	10/10/15	ISSUE FOR REVIEW
2	10/10/15	ISSUE FOR REVIEW
3	10/10/15	ISSUE FOR REVIEW
4	10/10/15	ISSUE FOR REVIEW
5	10/10/15	ISSUE FOR REVIEW
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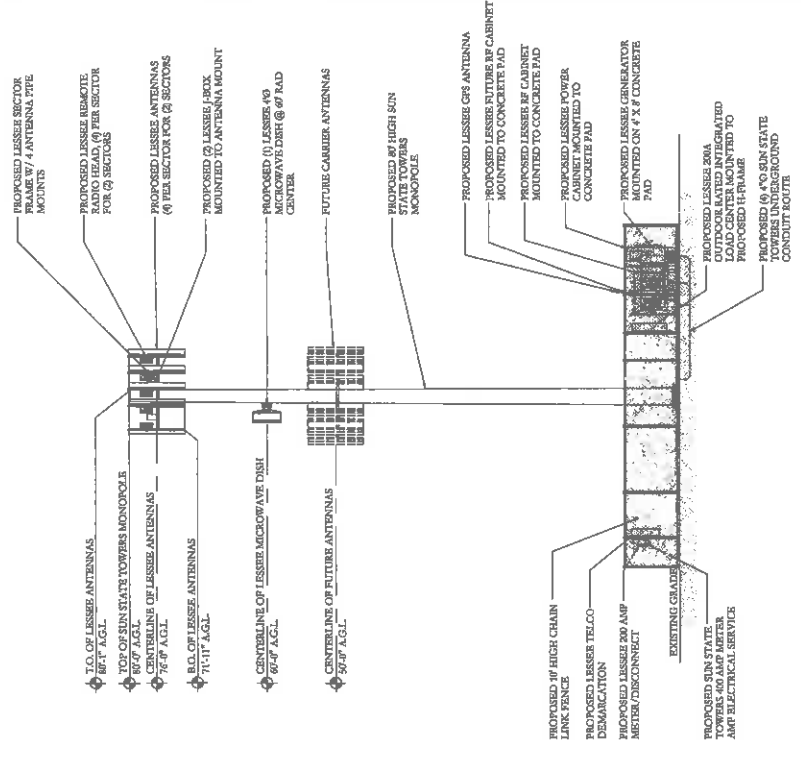
AZ04-039 SMUGGLER/
AZ6 NACO

344 E. TOWERS AVENUE
CHANDLER, AZ 85226
COCHISE COUNTY

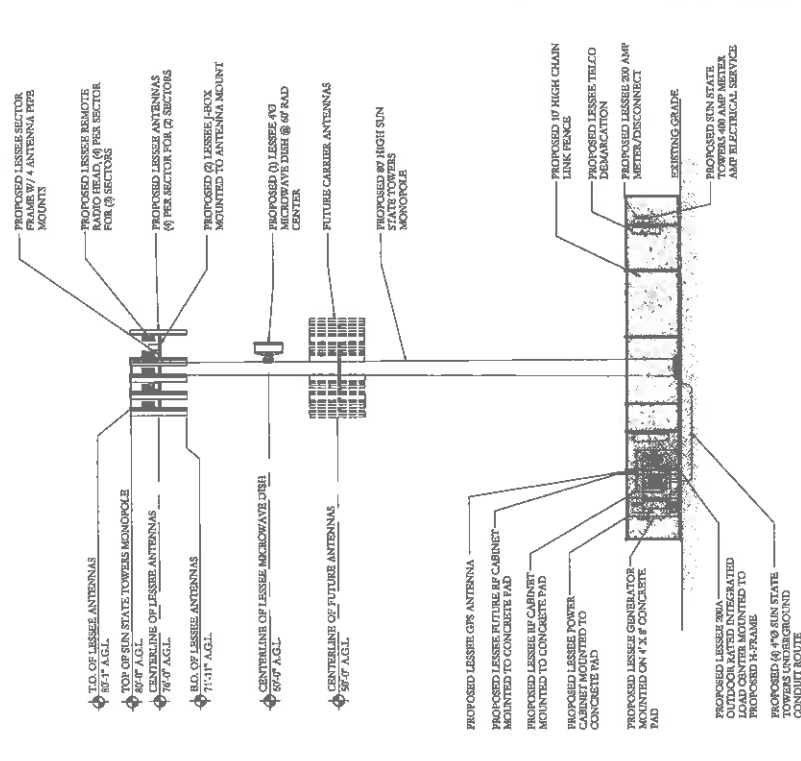
SHEET TITLE

ELEVATIONS

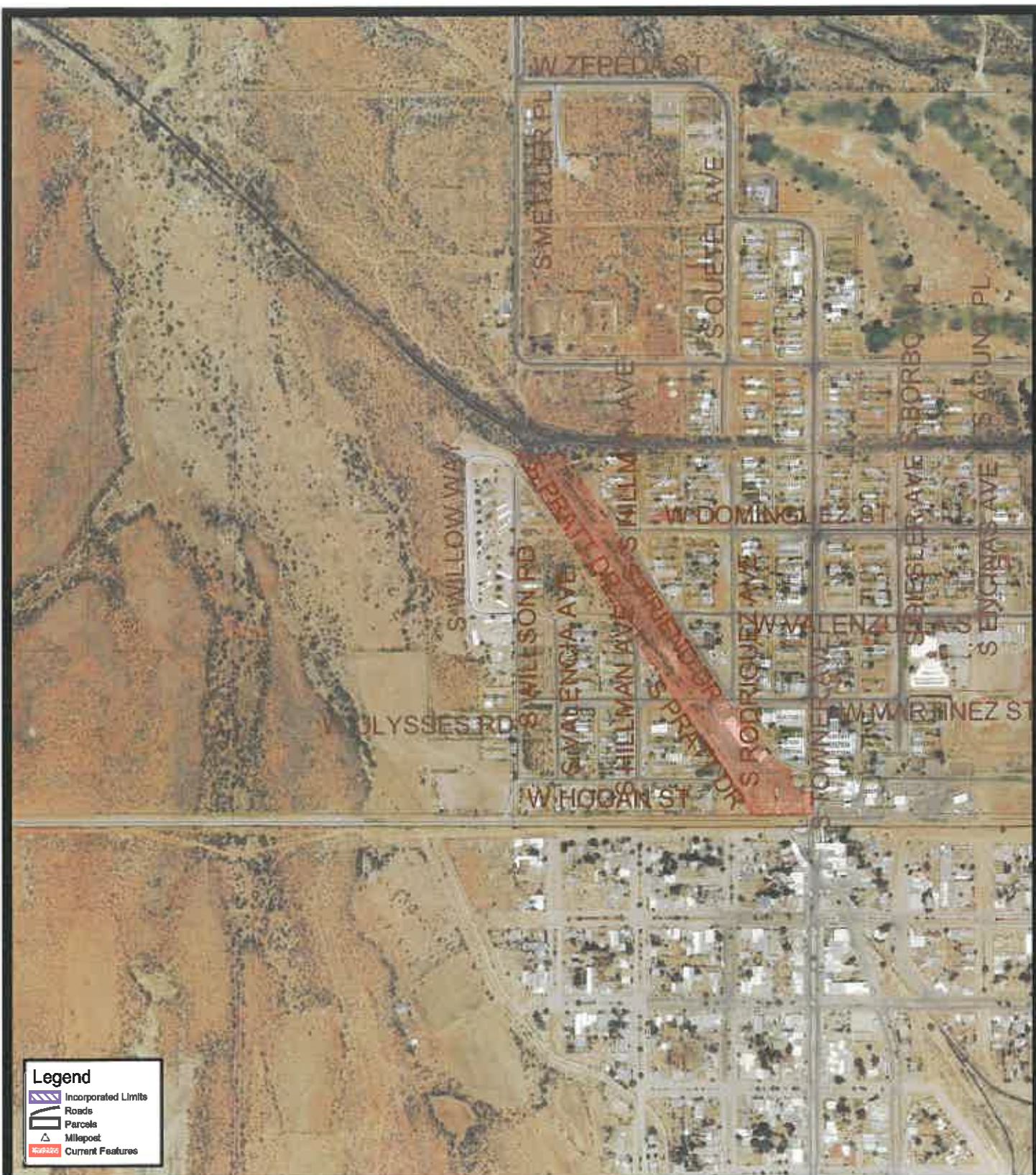
SHEET NUMBER
A-4



25'-0" SCALE: 1/8" = 1'-0"
11'-0" SCALE: 1/8" = 1'-0"
WEST ELEVATION

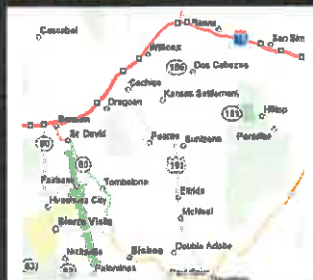


25'-0" SCALE: 1/8" = 1'-0"
11'-0" SCALE: 1/8" = 1'-0"
EAST ELEVATION



Legend

- Incorporated Limits
- Roads
- Parcels
- Milepost
- Current Features



SU-15-20 (Pinnacle Tower Naco)

This map is a product of the
Cochise County GIS
Information Technology Dept.



Jesse,

I am forwarding this based upon Mr. Gardner's out of office reply.

Thank you,

v/r

Eric Gordon

USAG Fort Huachuca PAIO

☎ Phone: 520-533-4980

-----Original Message-----

From: Gordon, Eric K CIV USARMY IMCOM CENTRAL (US)

Sent: Monday, November 23, 2015 4:03 PM

To: 'Gardner, Peter B'

Cc: Kosbab, Margo A CIV USARMY USAG (US); Gordon, Eric K CIV USARMY IMCOM CENTRAL (US)

Subject: RE: Encroachment Board Review - Transmittal SU-15-20 (Pinnacle Tower Naco)

Mr. Peter Gardner,

The Fort Huachuca Encroachment Board members reviewed Sun State Towers' application to construct a Wireless Communications Facility (WCF) located at 3864 South Towner Ave, Naco, AZ, requiring the installation an 80 ft. monopole with 12 antennas and associated equipment cabinetry.

Review: No issues or concerns regarding the proposed project were provided.

Based on the information provided, this project will pose no threat to the electromagnetic environment on Fort Huachuca nor have any adverse impact to the installation's EPG or training missions.

Thank you,

v/r

Eric Gordon

USAG Fort Huachuca PAIO

☎ Phone: 520-533-4980

-----Original Message-----

From: Gardner, Peter B [<mailto:PGardner@cochise.az.gov>]

Sent: Tuesday, November 10, 2015 2:04 PM

To: Riggs, Karen C; Lamberton, Karen L; Murphy, Teresa; Izzo, Michael D; Flores, Dora V; Capas, Carol; Lopez, Rosa I; Gordon, Eric K CIV USARMY IMCOM CENTRAL (US); 'humberto.delacruz@dhs.gov'; 'nacofiredistrict@live.com'

Cc: Dist1a; Dist1b; Dist1c; Dist2a; Dist2b; Dist2c; Dist3a; Dist3b; Dist3c; English, Ann S; Drake, Jesse; Henry, Jim

Subject: [Non-DoD Source] Transmittal SU-15-20 (Pinnacle Tower Naco)

Please find the attached transmittal for an 80 foot communications tower in Naco.
Thank you and regards,

Peter Gardner
Planner I
Cochise County Community Development
Planning, Zoning, and Building Safety Division
1415 Melody Lane, Building E
Bisbee, AZ 85603
520-432-9300
520-432-9278 fax



Cochise County Community Development

Highway and Floodplain Division

Public Programs...Personal Service
www.cochise.az.gov

INTEROFFICE MEMO

Date: November 16, 2015
To: Peter Gardner, Planner I
From: Teresa Murphy, Right-of-Way Agent I
Subject: Special Use Permit for Sun State Towers SU-15-20

Background:

The applicant, Sun State Towers is requesting a Special Use Permit authorization for an 80 foot communications tower in a General Business (GB) zoning district. The proposed requires Special Use Authorization per Section 1205.12 of the Zoning Regulations. Right-of-Way staff was contacted by Planning and Zoning to review the permit and provide comments regarding right-of-way dedication needs for county maintained roads.

Analysis:

- Access for the subject parcel is from Naco Highway, West on Dominguez, South on South Towner Avenue.
- Towner Avenue and Dominguez are dedicated to the public per Naco Townsite Map recorded in Book 1 Maps and Plats, pages 138-139, records of Cochise County.
- Towner Avenue (#240), Dominguez Street (#351) and Martinez Street (#907) are county maintained roads.
- That portion of Martinez Street which traverses the subject parcel is an 80 foot public easement, recorded in Instrument No. 1998-16435.

Recommendation:

- Based on my review, no further right-of-way dedication is required at this time. However, if the property owner is interested in conveying a fee simple dedication of Martinez Street, there may be a property tax benefit.

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Special Use Docket SU-15-20 (Pinnacle Tower Naco)

X

YES, I SUPPORT THIS REQUEST

Please state your reasons:

We see no identifiable risk in allowing the construction of the tower to occur.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Catherine and Chris Lohrengel

SIGNATURE(S):

C Lohrengel

YOUR TAX PARCEL NUMBER: 10257042 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Wednesday, November 25, 2015 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by December 8, 2015 to have your support or non-support noted verbally noted at the meeting; or you may personally make a statement at the **public hearing on December 9, 2015**. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-15-20 (Pinnacle Tower Naco)



YES, I SUPPORT THIS REQUEST

Please state your reasons:

I see no problem with this request.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Tammy J. Mitchell

SIGNATURE(S):

Tammy J. Mitchell

Town of Huachuca owner of Camp Naco

YOUR TAX PARCEL NUMBER: _____ (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Wednesday, November 25, 2015 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by December 8, 2015 to have your support or non-support noted verbally noted at the meeting; or you may personally make a statement at the public hearing on December 9, 2015. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Jesse Drake, Planning Manager *JD*
FOR: Paul Esparza, AICP, Planning Director *PE*
SUBJECT: Docket SU-15-19 (Crisantes Mesquite)
DATE: November 25, 2015 for the December 9, 2015 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant is requesting a Special Use authorization to approve the cultivation of medical marijuana at on an RU-4, Rural zoned property. The proposed use is considered a Special Use in RU-4 Rural Zoning Districts under Section 607.53 of the Zoning Regulations.

The subject parcels, APN 205-08-003A and 205-08-003B, are located at 3402 N Mesquite Road, Cochise, AZ approximately 1.25 miles north of Dragoon Road. The Applicant is Miguel Crisantes/Crisantes California Investments LLC.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 40 acres
Zoning: RU-4 Rural (one residence per four-acres)
Growth Area: Rural
Comprehensive Plan Designation: D
Area Plan: None
Existing Uses: Vacant land and vacant residential structure
Proposed Uses: Medical marijuana cultivation

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Maria Road, low-density residential
South	RU-4	Agriculture and low-density residential
East	RU-4	Vacant
West	RU-4	Low-density residential

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Bisbee, Arizona 85603
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520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

II. PARCEL HISTORY

APN 205-08-003A--listed with County Tax Assessor as Agricultural/Vacant land

APN 205-08-003B—April 7, 1989 – permit issued for an 1152 sq.ft. mobile home

III. NATURE OF REQUEST

The Applicant is requesting authorization for cultivation of medical marijuana in enclosed greenhouses at 3402 N Mesquite Road in Cochise AZ on an RU-4, D-Rural zoned property. There will be no dispensary or public facilities at this cultivation site. The property is located approximately 1.25 miles north of Dagoon Road.

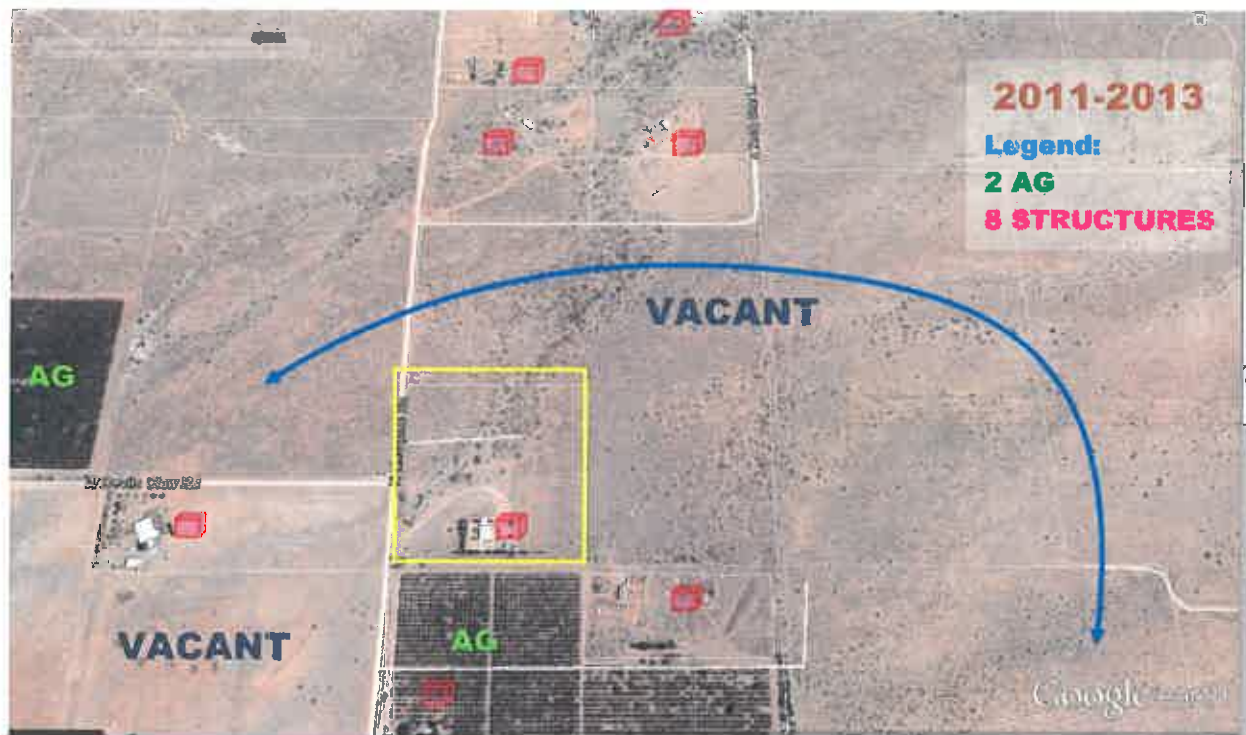
Currently the property is a vacant residence on the ten-acre parcel with existing septic, water and electric service to the property. The remainder of the site, the adjacent surrounding +/- thirty-acre parcel is vacant land. There is photographic evidence that the smaller parcel may have had an agricultural crop at one time as evidenced by the cleared area and faint furrow rows that can be seen in the historic photos on Google Earth.

Google Earth images show that the property itself has been in essentially the same condition since at least 1992, the earliest photos online, and that the surrounding area in the photo shows established agricultural production at that time that has continued to the present day in two areas.



In the last 23 years the subject parcel has remained in the same condition, sometimes occupied, occasionally vacant, and the surrounding properties have not changed zoning category, but some of the uses have changed: additional low-density structures have been added, and a small portion of the agricultural acreage has been taken out of production. Essentially, though, the area has remained a combination of low-density residential and agricultural production acreage continuously for over two decades.





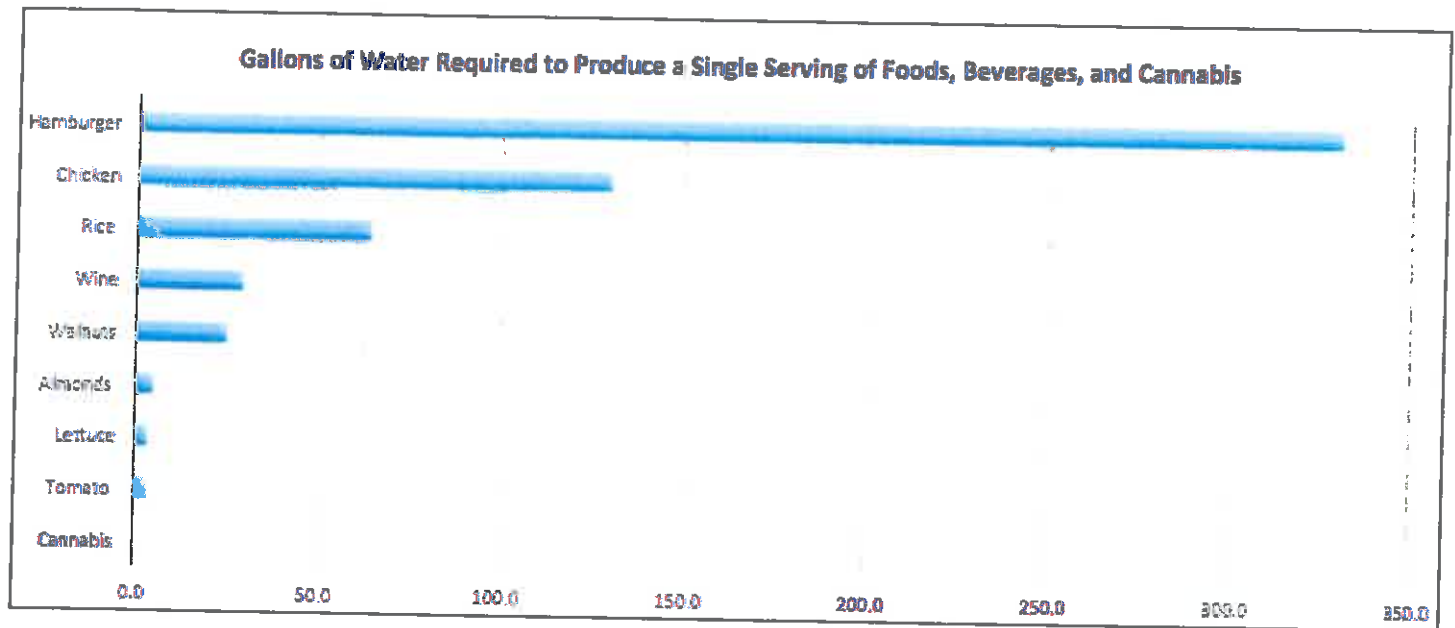
The existing manufactured home and detached garage on the site will be used for staff housing and for the operations office. The general public will not be coming to the property and traffic will be limited to office personnel and qualified greenhouse workers. The only proposed structures will be the new greenhouses which will completely enclosed buildings with double-lock entry to eliminate outside contamination and provide added security. The driveway and any required parking areas will be surfaced with crushed aggregate to eliminate dust.

The applicant and his family have been producing organic produce; tomatoes, peppers, cucumbers zucchinis and other crops for four generations. The applicant's goal is to be able to produce safe, organic, medical-grade cannabis using protocols and practices learned in 35 years of organic farming. This proposal will put this land into organic farm production. Farming equipment and implements will be stored in covered sheds or garages. No pesticides or chemical herbicides will be used on site or in the greenhouses and the crop will be grown using sustainable and water conserving techniques. Lighting will be low-energy LED shielded luminaires with motion sensor heads.

The project is expected to be completed in three phases with Phase I operational within a year. The indoor growing will include two acres of connected greenhouse with high efficiency drip system, ventilation and fertilization systems. Additional phases will be similarly constructed, their timeline to construction based upon harvest yields and market demand.

The business will begin operations with three employees to oversee the growing operations, increasing to as many as ten employees in three shifts as the business increases. Traffic will be equivalent or less than that generated by a residential household at that location. It should be noted that the Rural zoning would allow, by right, other uses that would generate significantly more traffic than what will occur with this proposed use. Covered greenhouses would be allowed by right with no Special Use authorization if the crop grown in them were anything else but marijuana. The traffic impacts of the proposal is equal to or less than other uses that could be on this property as principal permitted uses with no Special Use authorization.

The property has a private well to supply water for the greenhouses, the water usage for plant irrigation is estimated to be 0.5 gallons per day per plant. The total water usage for the Phase I greenhouse plus the building used by staff is estimated to be 6000 gallons per day. High efficiency irrigation systems will limit water consumption in all the greenhouses.



Per day water usage chart from CANorml web site

Access to the property north is from Dragoon Road on Mesquite Road. Dragoon Road is a County maintained road. Mesquite Road is a privately maintained road in intermittently poor condition with occasional travel restrictions due to wash crossings that bisect the private roadway. Since the Special Use is a request for a commercial business, the applicant will be required to participate in a Private Maintenance Agreement for the maintenance of Mesquite Road. The County Transportation planner has drafted the Private Maintenance Agreement and it is included as an attachment to this report. The maintenance agreement will not put the full burden of roadway improvements on this commercial use but the applicant will be required to participate in the costs of road improvements, such as grading, when necessary.



Mesquite Road wash crossing after a storm

The proposed project meets all of the County's separation requirements from residences, libraries, schools and day care facilities found in Article 1825 of the Cochise County Zoning Regulations.

Any medical marijuana cultivation will be required to meet the security requirements mandated by the State of Arizona, including security cameras, perimeter fencing and secured access, and will require final approval from the Arizona Department of Health Services (AZDHS) prior to beginning of any marijuana cultivation.



View to north from driveway next to house



View to southwest from driveway next to house



View to northeast from driveway next to house



View to west from Mesquite Road

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of ten factors with which to evaluate Special Use applications. Staff uses these factors to help determine the suitability of a given Special Use request, whether to recommend approval for a Special Use Permit, as well as to determine what Conditions and/or Modifications may be needed.

Nine of the ten factors apply to this request. The project, as submitted, complies with eight of the conditions and conditionally complies with the ninth factor. The one remaining factor is not relevant to this application.

A. Compliance with Duly Adopted Plans: Complies

The proposed project satisfies the criteria for Comprehensive Plan D-Rural areas since the proposal is in an outlying rural area between unincorporated communities that have a low growth rate, and is in a very low density area is surrounded by agricultural and vacant lands.

The proposal also supports the following Comprehensive Plan Elements:

The Agriculture and Ranching Element goal that seeks to "Protect and promote the agricultural economy of Cochise County, its agricultural and ranching lands, and related land uses."; and the policy to "Continue encouraging development of agricultural processing, both on-site and at industrial scale, to support production of value-added agriculture products in Cochise County.

The Economic Development Element that states that "Supporting small businesses will not only spur diversified income opportunities and ensure economic competitiveness, but will also foster resilience in the face of economic challenges such as natural disasters" and the policy to Continue to communicate with the business community, and be responsive to the changing needs of established and new businesses.'

The Rural Character Element that states "The *Envisioning 2020* process consistently revealed that rural character is an important community asset worthy of protection. Participants in Envisioning 2020 mentioned farming and ranching economies, scenic vistas, ecotourism activities, dark night skies, unimproved roads, and large lots as measures of rural character. One goal of the Rural Character Element is to "Provide for a continuation of traditional rural ways of life, such as farming, ranching, and other agricultural-related activities, and provide for diverse and viable economic and development opportunities that are consistent with the character of Cochise County's rural areas."

The project site is not within the boundaries of any area plan.

B. Compliance with the Zoning District Purpose Statement: Complies

By continuing the character of low density housing and agricultural uses, the application complies with two purpose statements in Article 6 by preserving the "Rural" character of the area; and by providing a non-residential service that is compatible with rural living.

C. Development Along Major Streets: Complies

The property takes access from North Mesquite Road which intersects with Dragoon Road on the south. Dragoon Road is a county-maintained, Rural Major Collector roadway with a 100-foot total width of established roadway. The intersection at Dragoon Road and Mesquite Road is an undefined, wide native surfaced intersection. The maintenance, access control, and public safety needs for the six mile long stretch of Dragoon Road in this area are the responsibility of the County.

North Mesquite Road is a private roadway/access, not a county-maintained roadway.

D. Traffic Circulation Factors: Complies with Conditions

The proposed use is similar to a small-scale agricultural use which typically generates traffic volumes in the range of 4 to 14 vehicle trips per day based on three employees in Phase I, increasing to 15 to 45 vehicle trips per day for ten employees, which is the projection for full build out at Phase 2.

As an RU-4, Rural property, the forty acre site has the zoning capacity to accommodate ten residential dwellings that would average 95.7 vehicle trips per day. The proposal, approximately fifteen acres with solely a cultivation operation, is likely to generate significantly less trips per day than if the site were developed for residential use.

The proposal at this location is not significant enough to warrant a full Traffic Impact Analysis, however the applicant does plan to phase in improvements over time. The County Transportation Planner in the November 23, 2015 Memorandum is requesting the addition of conditions of approval including one stating that at the

Commercial permit stage the applicant is requested to provide a Basic Traffic Statement. An explanation of the requirement is included in the Memorandum. (See attachment)

The North Mesquite Road, the native-surfaced road access, appears on the County's aerial (GIST) software to more or less traverse a series of thirty foot wide easements with a gap in the continuous sequence of easements from 1.0 to 1.125 miles north of Dragoon Road along the "Private Access" corridor where there is no thirty foot easement shown on the westerly side of Lot 8E in the "COCHISE STRONGHOLD RANCH, Lots 1-16" subdivision. No guarantee is provided to the applicant that sufficient legal access is granted along the entire stretch of North Mesquite Road to the subject parcel. The condition of this roadway has been described previously in this report and the applicant is advised that all-weather access to their property is not guaranteed along this private road as currently constructed. A Private Maintenance Agreement, per Zoning Regulation 1807.02.A will be required at the Commercial Permit phase. A modified Agreement, including an acknowledgement of the lack of all-weather access, has been prepared for this proposed use.



Native surface of roadway on North Mesquite Road



North Mesquite Rd/Dragoon Rd intersection

The intersection of North Mesquite Road access at Dragoon Road has a ball-diamond shaped clearing at the northwest corner of the non-maintained and maintained roadway intersection that appears to be well used. The area is nearly devoid of vegetation and has historically provided an unauthorized parking or staging area located on privately owned property. There is a grouping of mailboxes paralleling Dragoon Road at that location; mail pick-up and short term parking may be the reason for the large disturbed area. The applicant is advised that this area should not be used for staging of any commercial vehicles for the proposed project.

The lack of an identified intersection at the junction of North Mesquite Road with Dragoon Road is of concern with a commercial venture taking access at this location. The Highway Department is requesting coordination with them to install an intersection access apron with the County's declared roadway to define this access location and protect the roadway edge from the impacts of the increase in larger trucks typical of agricultural land uses.

E. Adequate Services and Infrastructure: Complies

Electrical service is provided to the site by Sulphur Springs Valley Electric Cooperative; water is supplied by an existing private well and there is an existing septic tank on site.

F. Significant Site Development Standards: Complies

The applicant has not requested any waivers from site development standards. All site development standards

must be met to obtain a non-residential use permit, should this request be approved. The property has adequate area for parking. All of the existing structures on the site meet all of the zoning regulations as they pertain to set-backs, off-site parking, and loading areas, land clearing, water conservation, and Section 1825 of the Zoning Regulations pertaining to medical marijuana. Any future construction of will be required to meet all site development standards and building permit regulations.

In addition to County regulations, the applicant will be required to meet all regulations and requirements established by the State of Arizona for these types of facilities including security cameras, perimeter fencing and secured access to the cultivation greenhouses.

G. Public Input: Complies

The Applicant sent letters to all property owners within 1,500-feet of the tower parcel to notify them of his application and to address any neighbor concerns. The applicant received at least two phone calls in support of the application.

H. Hazardous Materials: Not Applicable

No hazardous materials will be used on site. Only organic methods will be used to grow the plants. No contaminating chemicals or pesticides will be used.

I. Off-Site Impacts: Complies

The proposed facility is not anticipated to produce off-site impacts. The State of Arizona has lighting requirements for medical marijuana facilities. The applicant is intending to use shielded LED motion sensor lighting which will be installed in conformance with the lighting requirements in the County Zoning Ordinance.

J. Water Conservation: Complies

The applicant is proposing to use a low-water drip irrigation system.

V. PUBLIC COMMENT

The Planning Department staff mailed notices to neighboring property owners within 1,500-feet of the subject property. Staff posted the property, posted the notice to the County website on November 17, 2015 and published a legal notice in the *Bisbee Observer* on November 25, 2015. In response to applicant and County mailings, staff received two letters and one phone call supporting this request, and one phone call in opposition.

VI. SUMMARY AND CONCLUSION

This request is for a Special Use authorization to approve the cultivation of medical marijuana in enclosed greenhouses on Mesquite Road north of Dragoon Road in Cochise, AZ.

No waivers or modifications have been requested. Any State of Arizona requirement for cultivation, security and lighting requirements will be met.

Approval of this land use does not guarantee that the applicant will be successful in obtaining a license with the State of Arizona for medical marijuana cultivation; obtaining County land use approval is only one part of the State application process.

Factors in Favor of Approving the Special Use

1. With the recommended Conditions of Approval, the proposed use would fully comply with the nine Special Use factors used by staff to analyze this request;
2. The proposal complies with the Adopted Comprehensive Plan Agriculture and Ranching, Economic Development and Rural Character Elements;

3. The proposal complies with the Zoning ordinance Category D purpose statement;
4. The proposal will use water conservation farming methods in the greenhouses;
5. The proposal will use non-polluting organic farming methods;
6. The proposal would have the same visual impact as any other agricultural use that would be allowed by right as a principal permitted use;
7. The proposal will provide jobs for up to ten employees; and
8. The applicant has received two phone calls and staff received two letters and one phone call in support of this application.

Factors Against Allowing the Special Use

1. One neighbor has called in opposition to this application.

VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Conditional Approval** of the Special Use request, subject to the following Conditions:

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. It is the Applicant's responsibility to obtain any additional permits, or meet any additional Conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. Prior to or concurrent with the first Commercial Permit application the applicant is required to provide a Basic Traffic Statement to the County Transportation Department describing the phased project traffic impacts and proposed mitigation.
4. A modified Private Maintenance Agreement for North Mesquite Road, specifying the applicant's acknowledgement of the lack of all-weather access, will be required at the Commercial Permit phase.
5. A revised site plan, showing all required details and dimensions, will be required at the Commercial Permit phase.
6. Prior to or concurrent with the first Commercial Permit application the applicant shall obtain a Cochise County Right-of-Way/Encroachment Permit and work with the Highway Department to provide a commercial access apron at the North Mesquite Road connection to Dragoon Road as per the Cochise County Roadway Design Standards or as approved by the County Engineer prior to their Certificate of Occupancy for the first phase of this project.

Sample Motion:

Mr. Chairman, I move to approve Special Use Docket SU-15-19, with the Conditions of Approval as recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

VIII. ATTACHMENTS

- A. Special Use application*
- B. Site plan*
- C. Location map*
- D. Lighting cut sheet*
- E. Agency comments*
- F. Public Comment*



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

COCHISE COUNTY PLANNING DEPARTMENT COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE (TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER 205-08-003A, 205-08-003B

APPLICANT Crisantes California Investments LLC

ADDRESS PO Box 788, Nogales, AZ 85628

CONTACT TELEPHONE NUMBER (520) 980-2279

EMAIL ADDRESS: miguelcrisantes@mac.com

PROPERTY OWNER (IF OTHER THAN APPLICANT) John S. Barrios

ADDRESS 3402 N Mesquite, Cochise, AZ 85606

DATE SUBMITTED OCTOBER 6, 2015

Special Use Permit Public Hearing Fee (if applicable)

\$ 300.00

Building/Use Permit Fee

\$ 0

Total paid

\$ 300.00

PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (6) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. (Please note that nine (9) copies will be required for projects occurring inside the Uniform Building Code enforcement area. In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.)
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)

45 A

6. Hazardous or Polluting Materials Questionnaire, if applicable.

OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Traffic Impact Analysis (TIA): **Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.**
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

PART TWO - QUESTIONNAIRE

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid confusion once the permit is issued.

SECTION A - General Description (Use separate sheets as needed)

1. What is the existing use of the property? Vacant farmland with a manufactured home and a detached garage. Parcel is mostly fallow land.
2. What is the proposed use or improvement? Site is intended for cultivation of medical marijuana, as allowed by the Arizona Statue. Cultivation shall be in acordance with local zoning and state requirements, including; security cameras, perimeter fencing and secured access.
3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? Cultivation of medical cannabis as defined by Cochise County and State of Arizona Ordinances. No impact or change expected.
4. Describe all intermediate and final products/services that will be produced/offered/sold.
The facility will be used to cultivate medical marijuana, as defined by Article 6, 607.53.
All activities will be compliant with local and state Jurisdiction requirements and permits.

5. What materials will be used to construct the building(s)? (Note, if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal)

Plastic and metal for the construction of Greenhouses. Manufactured home is on property.

6. Will the project be constructed/completed within one year or phased? One Year X
Phased if phased, describe the phases and depict on the site plan.

Site is projected to be operational within the year.

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: 7 Hours (from 24 hrs AM to 24 hrs PM)

B. Number of employees: Initially: 3 Future: 10
Number per shift Seasonal changes No more than 3

- C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site.
Expected increase to be of approximately 1-3 vehicles, due to employee ingress or egress.

(2) Total trucks (e.g., by type, number of wheels, or weight)
Limited truck activity related to "special use" estimated to be 1 truck (Cube Van or 5 ton truck)

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?

Site access is expected via E Dragoon Rd. and N Mesquite Rd.

(4) If more than one direction, estimate the percentage that travel in each direction

No substantial change in flow of traffic is expected for "special use."

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest

We expect any ingress or egress to be at normal business hours. No substantial increase on current traffic flow.

Circle whether you will be on public water system or private well. If private well, show the location on the site plan.

D. Estimated total gallons of water used: per day 6,000 per year 1,200,000

Will you use a septic system? Yes X No If yes, is the septic tank system existing?

Yes X No Show the septic tank, leach field and 100% expansion area on the site plan.

- G. Does your parcel have permanent legal access*? Yes ☒ No ☐ if no, what steps are you taking to obtain such access?

*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet. If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

- H. For Special Uses only - provide deed restrictions that apply to this parcel if any.

Attached ☐ NA ☒

8. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	Private Well	
Sewer/Septic	Private Septic Tank	
Electricity	Sulphur Springs Valley Cooperative	
Natural Gas	N/A	
Telephone	Valley Telecom	
Fire Protection	Richland Fire Department	

SECTION B - Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors.

Outdoor activities will be limited to personel ingress or egress as well as equipment storage.

All other activities will be inside the greehouses or indoor cultivation site.

2. Will outdoor storage of equipment, materials or products be needed? Yes ☒ No ☐ if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties. Farm equipment and farm implements will be stored in covered sheds or garages.

3. Will any noise be produced that can be heard on neighboring properties? Yes ☐ No ☒ if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties? No considerable change in noise is expected.

4. Will any vibrations be produced that can be felt on neighboring properties? Yes ___ No X if yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties? _____

5. Will odors be created? Yes ___ No X If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties? _____

6. Will any activities attract pests, such as flies? Yes ___ No X If yes, what measures will be taken to prevent a nuisance on neighboring properties? _____

7. Will outdoor lighting be used? Yes X No ___ If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.

8. Do signs presently exist on the property? Yes ___ No ___ If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.

A. _____ B. _____ C. _____ D. _____

9. Will any new signs be erected on site? Yes ___ No X If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?
Yes ___ No X

If yes, will storm water be directed into the public right-of-way? Yes ___ No ___

Will washes be improved with culverts, bank protection, crossings or other means?
Yes ___ No X

If yes to any of these questions, describe and/or show on the site plan.

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)
Crushed aggregate for internal driveways and parking areas.

12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)

13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?
Yes ___ No X If yes, show details on the site plan. **Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.**

SECTION C - Water Conservation and Land Clearing

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Planning Department has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

All farming operations shall occur using high efficiency irrigation systems such as drip systems

and applying organic farming procedures with a focus on sustainability and water conservation.

2. How many acres will be cleared? N/A

If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.)

SECTION D - Hazardous or Polluting Materials

Some businesses involve materials that can contaminate the soil, air, water, waste disposal system or environment in general. Precautions must be taken to protect the environment when such products are distributed to or from the site, stored, manufactured, processed, disposed of, or released as raw materials, products, wastes, emissions, or discharges (When sold or incorporated in a product these materials are required to have Material Safety Data Sheets (MSDS) supplied by the manufacturer.) Examples of such products include but are not limited to paint, solvents, chemicals and chemical wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, biological wastes etc.

Does the proposed use have any activities involving such materials?

Yes ___ No X If yes, complete the attached *Hazardous or Polluting Materials Use Questionnaire*.

Note: Depending on quantities, this question does not apply to ordinary household or office products or wastes such as cleansers, waxes or office supplies. Answer YES only if the materials are involved in the commercial or special use process or if landscaping or maintenance chemicals (pesticides, fertilizers, paints, etc.) will be present in quantities greater than 50 pounds (solids) or 25 gallons (liquids).

If you answer NO to this question but in the County's experience, the type of business proposed typically uses such materials, you will be asked to complete the *Hazardous or Polluting Materials Questionnaire* prior to processing this Commercial Use/ Building/ Special Use Permit.

Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research. The Arizona Department of Environmental Quality Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333).

SECTION E - Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature

Print Applicant's Name Miguel Crisantes/ Crisantes California Investments

Date signed 10/1/15

September 30, 2015

Cochise County Planning Department
1415 Melody Lane, Bldg. E
Bisbee, AZ 85603

Re: Application for Special Use Permit to be submitted by Crisantes California Investments, LLC/Miguel E. Crisantes

To Whom It May Concern:

JDB
My name is John D. Barrios, and I am the owner of certain real property located at 3402 N. Mesquite, Cochise, AZ 85606, on Assessor's Parcel Number (APN) 205-08-003A&B. The purpose of this letter is to authorize the application by Crisantes California Investments LLC, an Arizona limited liability company, and its representatives, for a Special Use Permit for the cultivation of Medical Marijuana, as allowed by the Arizona Medical Marijuana Act.

The property, of approximately 40 ac., is currently in escrow and is to be purchased by the aforementioned party, if granted their special use permit.

I thank you for your attention to the matter at hand.

Sincerely,

John D. Barrios
John D. Barrios

10/03/2015

CRISANTES CALIFORNIA INVESTMENTS_{LLC}

• (520) 980-2279 • P.O. Box 788, Nogales, AZ 85628 •

October 6, 2015

Cochise County, Community Development
1415 Melody Lane, Bldg. E
Bisbee, AZ 85603

Re: Special Use Application for the Cultivation of Medical Cannabis

To whom it may concern:

It is with great pleasure and humility that I address you through this letter, in representation of my partners, at Crisantes California Investments. We are a family company, established with the purpose of applying for a Special Use permit, for the cultivation of medical cannabis, in the county of Cochise, AZ.

For 35 years, our family has been at the forefront of organic greenhouse farming. Our roots in farming go back more than 4 generations and have been the anchor to our ever- evolving business. In the summer of 2011, we broke ground on our latest organic greenhouse production area, in Yuma County. Through this expansion into southwestern Arizona along with our Elfrida, AZ farm, our customer base has enjoyed fresh, vine-ripened, certified organic greenhouse grown vegetables, for many years now. Our Arizona Grown and Mexico Grown, organic vegetables (Tomatoes, Peppers, Cucumbers, etc.) can be found, across the USA, Canada and in parts of Asia and Europe.

We have seen firsthand the positive impact that growing and distributing fresh, organic, sustainable food has had, not only on our family, but also in the lives of our employees and the surrounding community.

Two years ago, our family was struck, like so many others, with two different diagnoses of Cancer. After the initial shock and rush of emotions, our family members began to evaluate all their treatment options and sought out the best care possible. After undergoing surgeries and a series of extremely debilitating chemotherapies, we could see that these treatments, although somewhat effective in the fight against the disease, were also bringing with them other medical complications, discomforts and side effects that were diminishing the quality of their life. Like any concerned family would do, we searched high and low for any and all possible cures, remedies, or treatments that could alleviate their suffering.

In time, our search for treatment options lead us to learn about the newly adopted Medical Marijuana Act, that had been put into effect, in Arizona on April of 2011. This was certainly an unconventional approach, but due to the gravity of our family members health, one that deserved to be looked into.

With the guidance of the medical professionals at several renowned treatment centers, they began to incorporate selective use of Medical Marijuana as part of their ongoing wellness regimen. The immediate results were in the overall improvement of their mood and eating habits, something that is vital in the recovery of any surgery and chemotherapy treatment. Along with the improvement in appetite came a considerable decrease in pain and a decrease in the use of pain medication. As we learned more and more about the effects of medical cannabis and the impact it was having on families like our own, we realized this was a plant that should not be vilified, but further researched and explored.

As we learned more about the success many patients were experiencing with medical cannabis, so did our interest in learning more about the industry as a whole. To our surprise, we found many lacked the basic food-safety protocols or sustainability practices found throughout our farms.

This became a turning point in our appreciation for the Medical Marijuana industry. How could a plant intended for medical use be cultivated with little or no “medical grade” standards? Were there any “real” organic dispensaries? What could we do to improve upon the quality of the medication being administered to more than 70,000 patients, across the state of Arizona? Surely there must be others asking these questions.

Our goal is to create the first true state licensed medical marijuana cultivation facility, focused on the development of medical-grade cannabis, by applying not only our expertise in farming but also by applying the many protocols and practices derived from our more than 35-year experience in sustainable and organic farming. A fact we believe is imperative in the cultivation and processing of medical cannabis, for anyone with a serious medical condition.

We have selected a 40 parcel in the town of Cochise, AZ that can potentially serve as our cultivation site for our intended organic greenhouse operation. Already a previously existing farm and surrounded by native desert vegetation, we believe the area provides adequate climate conditions, water availability and exceeds all local and state required ordinances and mandates.

Envisioned as a 3-phase project, we hope to have the first phase operational within the year, with subsequent expansions at 6mo-1yr intervals, depending on harvest success and market demands.

Centered on our organic greenhouse cultivation techniques, the first stage of cultivation will include an indoor growing facility and 2 acres of “Gutter Connect” style greenhouses with high efficiency drip system, ventilation and fertigation system. All subsequent expansions and greenhouse systems will be of similar or greater functionality

and sustainability; specifically in the areas of water conservation, energy transfer and nutrient uptake.

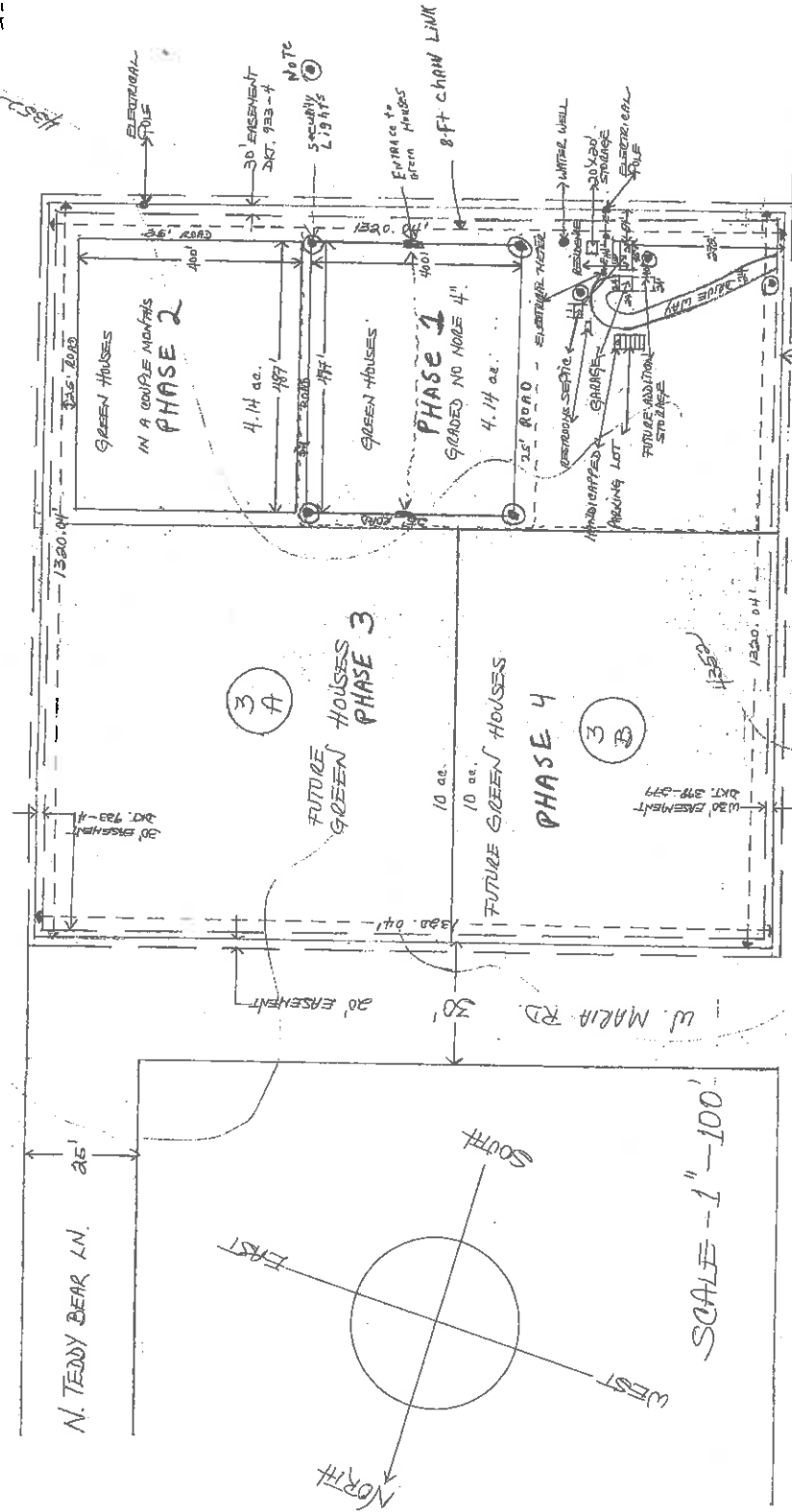
We look forward to sharing more details about our project and answer any questions you may have. Thanking you in advance for your consideration to our application for special use.

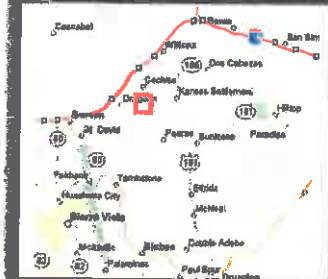
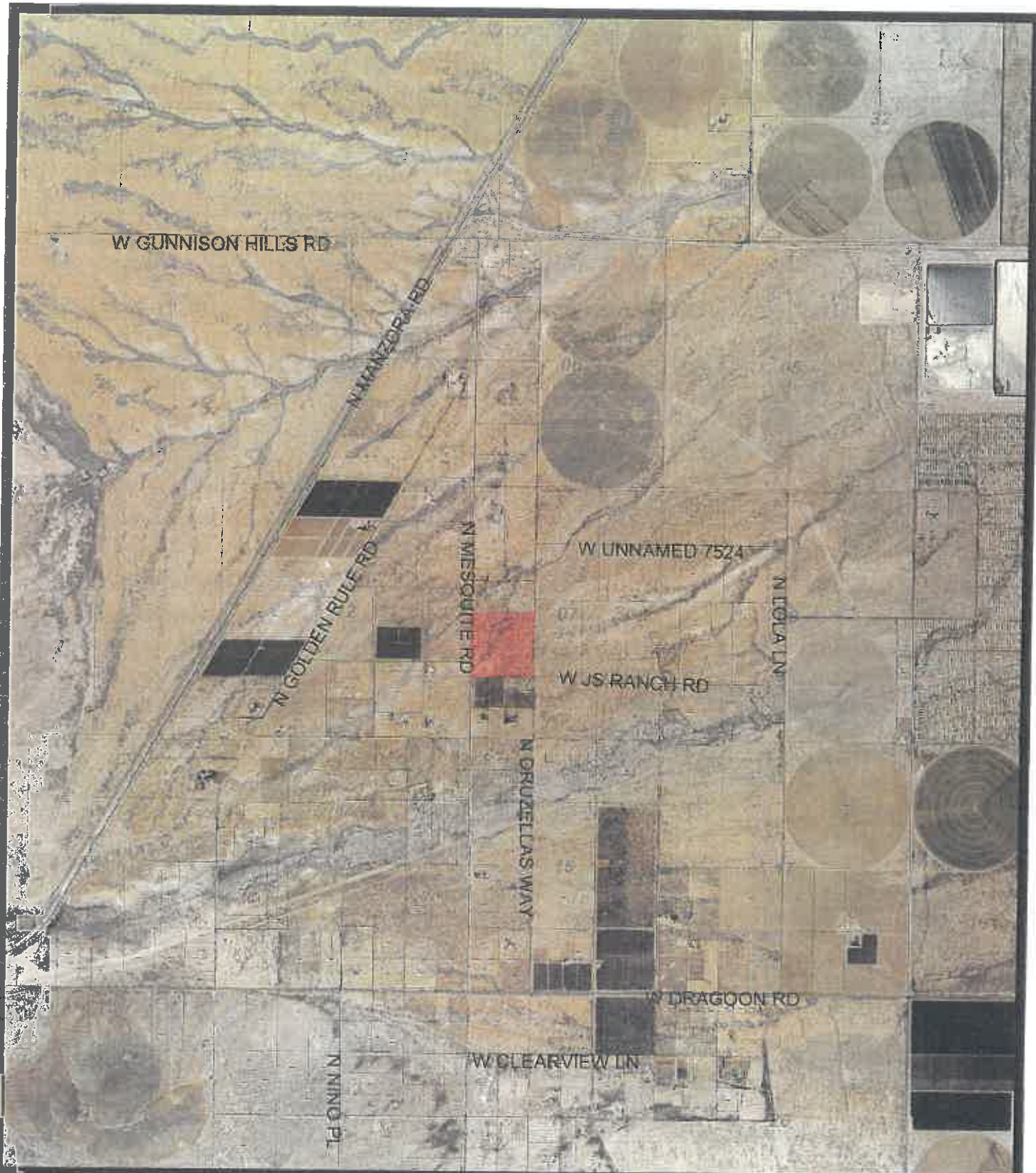
Sincerely,

Miguel E. Crisantes
Crisantes California Investments, LLC

ORISANTES CALIFORNIA
3402 N. MESQUITE RD
COCHISE, AZ.
(520) 281-2213
SEC 7 TN 16 R9 24
39.90 ac.

FACE I START AS SOON
AS APPROVE





SU-15-19
 (Crisantes Mesquite)
 3402 N Mesquite Rd
 APN 205-08-003A and
 205-08-003B

This map is a product of the
 Cochise County GIS
 Information Technology Dept.





FEATURES & SPECIFICATIONS

INTENDED USE

Provides years of maintenance-free general illumination for residential and commercial outdoor applications such as yards, driveways, patios, loading areas and warehouses. Motion activation deters intruders.

CONSTRUCTION

Three tool-free adjustable heads allow for easy aiming up/down or side to side.

Rugged cast aluminum, corrosion-resistant housing in bronze or white.

Clear acrylic lenses are fully gasketed to keep out moisture, dirt and bugs.

120V driver operates at 60Hz.

Rated for outdoor installations, -40°C minimum ambient.

OPTICS

High-performance 5000K CCT LEDs produce 2063 lumens and maintain 70% of light output at 50,000 hours of service. (Nominal correlated color temperature per ANSI C78-377-2008; LED lifespan based on IESNA LM-80-08 results and calculated per IESNA TM-21-11 methodology.)

Dual array motion sensor provides 180° detection with up to 70 feet forward range, and additional downward perimeter protection for added security.

Sensitivity and on-time adjustable knobs provide precision control, and the sensor has a manual override option.

An integrated photocell prevents activation during daylight.

INSTALLATION

Mounts easily to existing junction box on wall or under building eave.

Adjustable heads allow precise illumination.

Not recommended to wire multiple fixtures in parallel.

LISTINGS

UL/C-UL Certified to US and Canadian safety standards. Wet location listed for mounting higher than 4' off the ground.

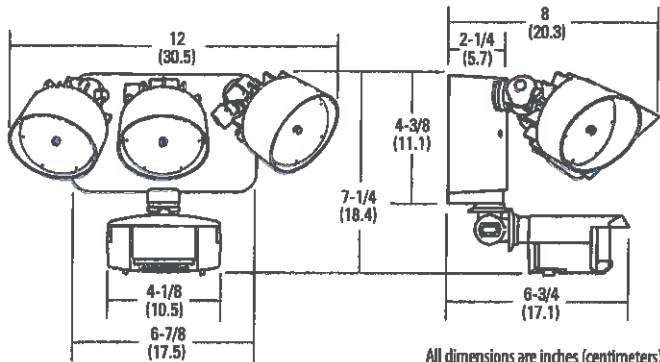
WARRANTY

Five-year limited warranty. Full warranty terms located at

www.acuitybrands.com/CustomerResources/terms_and_conditions.aspx

NOTE: Specifications are subject to change without notice.

Actual performance may differ as a result of end-user environment and application.



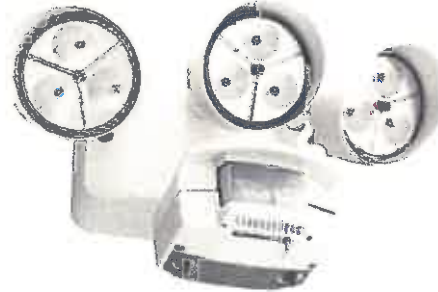
Catalog Number
Notes
Type

Outdoor General Purpose

OFLR 9 MO

LED FLOODLIGHT WITH MOTION SENSOR
3 ADJUSTABLE HEADS

High Performance LED



ORDERING INFORMATION

All configurations of this product are considered "standard" and have short lead times.

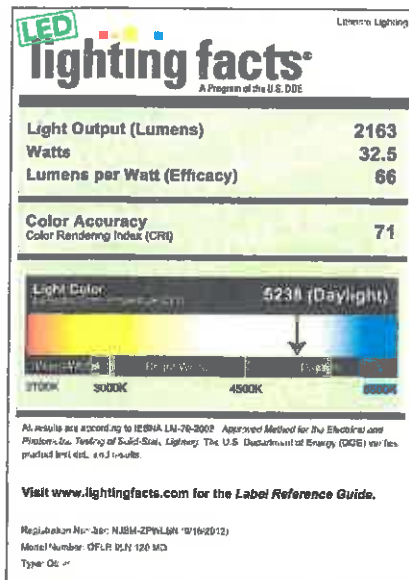
Example: OFLR 9LN 120 MO BZ

OFLR	9LN	120	MO	
Series	Number of LEDs	Voltage	Features	Finish
OFLR LED floodlight	9LN 9 LEDs, 3 heads	120 120 volts	MO Motion sensor	BZ Bronze WH White

3-Head LED Floodlight with Motion Sensor

PHOTOMETRICS

Full photometric data report available within 2 weeks from request. Consult factory.





**Cochise County
Community Development**

Highway and Floodplain Division

Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

Date: November 23, 2015
To: Jesse Drake, Planning Manager
From: Dennis L. Donovan, P.E. : For Karen L. Lamberton, County Transportation Planner
Subject: Crisantes Mesquite Medical Marijuana/SU-15-19/Parcel #'s 205-08-003A & 205-08-003B

The applicant's proposed use is for a facility for the cultivation of medical marijuana on a RU-4, Rural zoned property, which is considered a Special Use in that zone under Section 607.53 of the Zoning Regulations. The property is located on N. Mesquite Rd. about 1.25 miles north of Dragoon Rd and 1.8 miles west of Cochise Stronghold Rd. in the area of Cochise, Arizona.

Special Use Authorization Conditions

We have no objection to issuing the requested Special Use Authorization with the following conditions and advisory notes to the applicant:

1. In advance or concurrent with their first Commercial Permit application, the applicant is required to submit a Basic Traffic Statement describing the phased project traffic impacts and proposed mitigation.
2. A modified Private Maintenance agreement for N. Mesquite Rd, specifying the applicant's acknowledgment of the lack of all-weather access, will be required at the Commercial Permit phase.
3. A revised site plan, showing all required details and dimensions, will be required at the Commercial Permit phase.
4. The applicant is required to obtain a Cochise County Right-of-Way/Encroachment Permit in advance or concurrent with their Commercial Permit application and work with the Highway Dept. to provide a commercial access apron at the N. Mesquite Rd. connection to Dragoon Rd. as per the County Roadway Design standards or as approved by the Highway Dept. County Engineer prior to their Certificate of Occupancy for their first phase of this project.

Background

The applicant is proposing to cultivate medical marijuana on the site in a series of

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

60 E

greenhouses, constructed and phased in over time. Access from Dragoon Rd. to the subject parcel is the most obvious transportation concern discovered during review of this proposal. Dragoon Rd. is a county-maintained, federal functionally classified as a Rural Major Collector roadway, with a 100 foot total width of established roadway. An undefined, wide native surfaced intersection with N. Mesquite Rd. currently exists.

Dragoon Rd. is defined as being the southerly or northerly 50 feet of specific Sections along the historically used route, as Declared by the Cochise County Board of Supervisors in 1975 (i.e. East Dragoon Roadway Declaration.) The maintenance, access control, and public safety needs for the six mile long stretch of Dragoon Road in this area are the responsibility of the County.

N. Mesquite Rd. is **not** a county maintained roadway. A field review was conducted, and the rights of ingress and egress were researched as a part of staff review of this proposed special use. A thorough and exhaustive research of the history of this existing private, non-county maintained roadway regarding underlying uses and agreements among property owners in the area was **not** undertaken. Also, no land survey activities or analysis were conducted to specifically tie down the property boundaries or meandering limits of the physical roadway itself. N. Mesquite Rd. is a private roadway/access and not in the county-maintenance system.

Traffic Analysis

This type of use is akin to a small-scaled agricultural use: average trip generation rates specifically for this type of growing operation have not been developed on either a national or state-level at this time. Agricultural uses typically range from 15 to 45 vehicle trips per day for 10 employees, as projected for full-build out of Phase 2 of this proposed project. Start-up of Phase 1 is estimated to range from 4 to 14 vehicle trips per day based on 3 employees. Per acre rates have a very large range, depending on crop and seasonal workers with the low end of the range consistent with the per employee numbers of an estimated 20 vehicles trips per day with the high end of 637 vehicles trips per day unlikely given the limitations imposed by the size of the greenhouses and the lack of a seasonal cluster of harvesting or processing of product. *ITE Manual, 8th Edition.*

If built out to a full residential use this 40 acre parcel would likely generate an average of 95.7 vehicle trips per day for 10 residential units. As a growing operation only the requested use is not likely to change the type of use that has historically been on this site nor the type and volume of traffic associated with an agricultural greenhouse operation. It is likely that at full build-out, as proposed by this applicant, the trip generation for this site would be significantly less than if developed as a residential use. At this time the applicant is only requesting to use about 15 acres of the full site for this proposed use.

Trip generation at this location is not significant enough to warrant a full Traffic Impact Analysis; however, the applicant does plan to phase in their improvements over time. At the Commercial permit stage the applicant is requested to provide a Basic Traffic Statement. This report does not need to be completed by a Traffic Engineer but does need to include the following items:

- A. A brief description of the proposed project. Include a map that shows the access driveways and internal circulation as well as on-site parking areas.

- B. Provide information about the construction phase of this project; tentative construction schedule, number of construction trucks per day, size of trucks, days and times anticipated for construction traffic.
- C. Describe mitigation measures for controlling dust, if needed.
- D. Describe potential impact, duration and proposed mitigation for construction phases of the development. Specifically identify any measures that might need taken for traffic control on Dragoon Rd. during the construction phase and for reconstruction of the roadway after construction.
- E. Describe the total operational aspects of the project with estimated trip generation rates calculated for each use and by phase.

It may be that the construction phase is not significant enough to warrant any additional mitigation; however, at the conceptual stage it is hard to make that assessment. The applicant is advised that if there are clustered construction trucks making turning movement on and off of Dragoon Rd. at Mesquite Rd. that exceed 12 per hour traffic control (trucks turning ahead/construction ahead signs) warning drivers to slow and pay attention may be needed and/or other appropriate methods of traffic control to ensure safety for both the traveling public and the construction vehicle drivers.

Factors for Traffic Analysis by Potential Land Use

LAND USE	FACTOR	SCALE OF ANALYSIS	POTENTIAL AVERAGE TRIP RATE
Residential Unit	9.57	1 Housing Units	<i>Multiply by Housing Units</i>
General Light Industrial (Agricultural Use)	3.02	1 Employee	<i>Multiply by range of potential employees</i>
Office – Single Tenant Low/Rural	5.33	1000 Square Foot	<i>Multiply by office building square feet</i>
Office – Single Tenant Low/Rural	2.09	1 employee	<i>Multiply by range of employees</i>

Trip Generation factors based on ITE Manual, 8th Edition

N. Mesquite Rd. Access

The existing roadway appears on the county's aerial (GIST) software to more or less traverse a series of 30 ft wide easements, granted by various recorded Dockets, on the east side of the Range Line that exists where Mesquite Rd. is aligned. The Range Line is congruous with the Section Lines, and is the path which the roadway generally follows, again seemingly staying to the east side of that line. The Assessor's Maps do indicate a gap in the continuous sequence of easements from 1.0 to 1.125 miles north of Dragoon Rd. along the "Private Access" corridor where there is no 30' EASEMENT shown on the westerly side of Lot 8E in the "COCHISE STRONGHOLD RANCH, Lots 1-16" Subdivision. No guarantee is provided to the applicant that sufficient legal access is granted along the entire stretch of N. Mesquite Rd. to their subject parcel.

The existing N. Mesquite Rd. between Dragoon Rd. and the subject property is a native-surfaced roadway that is in reasonably good shape along much of the reach, but has poor drainage leading to significant ponding of water and muddy tracks in several locations. The vehicle used for the site visit was at risk of not making it through 2 or 3 of the ponding/mud tracks and the

applicant is advised that all-weather access to their property is not guaranteed along this private road, as currently constructed. It is the applicant responsibility, and duty, to work cooperatively with adjacent neighbors to maintain the private roadway and to ensure that legal access is in place. **A Private Maintenance Agreement, a per Zoning Regulation 1807.02A will be required at the Commercial Permit phase:** a modified agreement including an acknowledgment of the lack of all-weather access has been prepared for this proposed use. This Agreement should be signed and returned with the first Commercial Permit application, if this Special Use is approved.

Additionally, the N. Mesquite Rd. access at Dragoon Rd. is problematic. There is a ball-diamond shaped clearing at the northwest corner of that non-maintained and maintained roadways intersection that appears to be well used. This area is practically devoid of vegetation and has historically provided an unauthorized parking, or staging, area located on privately owned property. There is a significant grouping of mailboxes paralleling Dragoon at that location, and mail pick-up and short term parking for car-pooling may part of the reason for the large disturbed area. No record of the corresponding right of use is evident. The applicant is advised that this area should not be used for staging of any commercial vehicles for this proposed project.

Off-site mitigation will be needed to address the intersection of N. Mesquite Rd. with Dragoon Rd. The lack of an identified intersection is of higher concern with a commercial venture taking access at this location. The Highway Dept. would request coordination with them to install an intersection access apron within the County's declared roadway to define this access location and protect the roadway edge from the impacts of the increase in larger trucks typical with agricultural land uses.

Advisory Note for the Applicant

The conceptual plan is adequate for this Special Use application **but will not be adequate at the Commercial Permitting stage.** At the commercial permit stage additional details, **including all property line and driveway dimensions, a scale and a sight distance triangle**, per Zoning Regulation 1807.06 and/or Roadway Design Standards D-300, will be needed on the site plan or as a separate illustration (could be included in the Traffic Statement).

The Right-of-Way/Encroachment Permit information is available from the Highway Dept. and can be obtained by contacting the Highway Dept. at 520-432-9300 and speaking with Francis Martinez. The fee for this Highway Permit is \$100.00 and should be obtained concurrently with, or in advance of, the Commercial Permit application for this use. It is highly recommended that the applicant proactively address this issue in advance of submitting their Commercial Permit so that their Commercial Permit site plan accurately illustrates the approved access roadway apron.

Failure to provide required details on the site plan at the Commercial Permit stage may result in the application being found deficient and returned for revisions. Checklists and examples available from the Planning and Zoning Dept. office.

Should the scope or scale of operation change during the process of review by the State and Federal agencies the applicant is advised that conditions related to off-site impacts may change.

If the applicant or the applicant's Traffic Engineer has any questions about the requested Traffic Statement they may contact our office for assistance.



Cochise County
Community Development
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

PRIVATE MAINTENANCE AGREEMENT
CRISTANTES CALIFORNIA INVESTMENTS

Cristantes California Investments, LLC, owners of parcel 205-08-003A & 205-08-003B, located at 3402 N. Mesquite Rd., Cochise, Arizona, agree to participate in the maintenance of our access roadway (N. Mesquite Rd.) so that it remains in good driving condition as needed for the duration of our permitted commercial activities on this parcel from Dragoon Rd. intersection to my driveway.

Good driving condition is defined as a condition in which a typical vehicle can travel on the private roadway under normal weather conditions.

We acknowledge that the Cochise County Highway and Floodplain Department does not, and will not, maintain N. Mesquite Rd. Private roadways do not usually meet a County-maintained Roadway Design Standard.

We acknowledge that N. Mesquite Rd. is not an all-weather access roadway and may become impassable during adverse weather events.

We certify that we have the legal authority to use the proposed access which connects our subject parcel to a county-maintained road for our permitted commercial use on this parcel.

Signature

Date

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

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**Cochise County
Community Development**

Highway and Floodplain Division

Public Programs...Personal Service

www.cochise.az.gov

INTEROFFICE MEMO

Date: October 22, 2015
To: Jesse Drake, Planner II
From: Pam Hudgins, Right-of-Way Agent II
Subject: Special Use Permit For Crisantes Medical Marijuana (SU-15-19)

Background: The applicant is requesting a Special Use authorization to approve a facility for the cultivation of medical marijuana on an RU-4 Rural zoned property. The proposed use is considered a Special Use in RU-4 Rural Zoning Districts under Section 607.53 of the Zoning Regulations. The applicant is Miguel Crisantes/Crisantes California Investment LLC. Right-of-Way Staff was contacted by Planning and Zoning to review the permit and provide comments regarding right-of-way dedication needs for county maintained roads.

Analysis:

- Access for the subject parcel is from Highway 191 North, to Dragoon Road West to Mesquite Road. Mesquite Road is 2.8 miles north of Davis Road, and 1.8 miles West of Cochise Stronghold Road, Cochise AZ. Mesquite Road serves as the Westerly boundary of the subject parcel.
- Adjoining the subject parcel, Mesquite Road is not a county maintained road.

Recommendation:

- No further right-of-way dedication is required at this time.

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
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planningandzoning@cochise.az.gov

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Sulphur Springs Valley Electric Cooperative, Inc.

A Touchstone Energy* Cooperative 

REVIEW

To: Jesse Drake-Planning Manager-Cochise County Community Development
From: Ruth Bigelow-Right of Way Agent
Date: 10/16/15
Re: SU-15-19 (Crisantes Mesquite) Medical Marijuana

- SSVEC has no conflicts

If you have any questions concerning this review please contact me at 520-384-5513 or rbigelow@ssvec.com

Special Use Docket SU-15-19 (Crisantes Mesquite)



YES, I SUPPORT THIS REQUEST

Please state your reasons:

As long as the Applicant follows the
permit rules approved and that all the reviews
from the different departments remain in
good standing.

☐ NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): Mary Ann Picardo

SIGNATURE(S): Mary Ann Picardo

YOUR TAX PARCEL NUMBER: 208-75-8092 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Wednesday, November 25, 2015 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline for the staff report you may still mail or send email comments to Jesse Drake at jdrake@cochise.az.gov that must be received by December 8, 2015 to have your support or non-support noted verbally noted at the meeting. You may also personally make a statement at the public hearing on December 9, 2015. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Jesse Drake, Planning Manager
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Miguel E Crisantes.
Ultimate Trading Co. LLC.
Cel (520) 980-2279

On Nov 7, 2015, at 12:10 PM, carollber@comcast.net wrote:

Hello,

We recently received your letter about your purchasing the property at 3402 N. Mesquite. We own 2 lots on N. Mesquite, #3492 and 3500. I'm just writing to say good luck with everything. I'm sure you have a ton of work ahead of you, getting all of the paperwork in order with the county, etc. I think it is a great idea what you are planning.

Two years ago I was wishing that medical cannabis had been available in Massachusetts for my 50 year old sister who was diagnosed w/breast cancer. Thank God she's ok now after the chemo, surgery and radiation. We were tempted to try to grow it illegally, but chickened out because we were afraid of the dire legal consequences if we got caught!

We live here in MA but visit AZ on vacation every so often (not as often as I like). We bought the property in Cochise thinking it could be a vacation / winter home or to retire there someday. (Not ready yet though)!

Hopefully we will get a chance to meet eventually. Again, good luck with your venture!

Sincerely,
Carolynn and Ron Antonangeli

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